

UNDERSTANDING RURAL DECISION MAKING:
A CASE STUDY OF LAND PRESERVATION
IN CANTERBURY

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ABSTRACT

The aim of this thesis is to clarify how the rural decision making process operates in New Zealand. This will be achieved by investigating the formal legislative restraints that land users have to adhere to and by examining the informal links that exist between the rural institutions and the land managers (eg financial, consultancy links).

To investigate these formal and informal links it has been necessary to study a major land use issue. The issue selected for the study was land preservation. By using land preservation it has been possible to demonstrate how Government agencies are able to compel land users to adopt environmental land use guidelines and how private institutions are able to use negotiation to get land users to accept their land management advice.

The research has found that New Zealand has a complex rural decision making framework. Unlike many overseas countries the Government can not simply impose new land use guidelines. Government agencies have to negotiate with land users before they attempt to introduce new land preservation/land management practices. The research has also revealed that private institutions play a key role in rural decision making. They have this role as a result of the consultancy services they provide to the rural sector.

Chapter One

Introduction

The aim of this research is to develop a clear understanding of the forces that direct rural land users in their decision making. The decisions which shape the layout of the rural landscape are not simply taken on the spur of the moment. They are only entered into as the result of a decision making process which involves not only the actual land users but the whole gambit of Government Departments, lobby groups, and business enterprises. An investigation into rural decision making is needed so that a clear picture can be gained of who the crucial decision making actors are and how the decision making process actually operates. In earlier rural research the links and interactions between land users and other groups were simply assumed. The few studies that have looked at rural decision making concentrated principally on individuals or groups rather than the decision making process itself and the framework within which it operates. As a result they were only able to hint at the complexity of the framework and not able to advance any general conclusions.

In this study the principal aim is to unravel the decision making process and give a clearer picture as to how the framework operates. To achieve this a wide ranging topic was needed which could be used to investigate the organizations and individuals who are involved in rural decision making. The topic also had to have a clear landscape form so that concrete examples of the decision

making process could be investigated and used to see which groups had the most influence. Land preservation fitted these demands as the topic covers a wide range of land use activities and has evoked a response from most rural actors.

The intention of the research is to develop a better understanding of how rural decision making operates. This will be done by clarifying who are the decision making actors and by defining what form the interaction takes. The study area for this investigation of rural decision making is primarily Canterbury. However, as many of the actors have a national, as well as a regional presence, the study will involve drawing in material from throughout New Zealand. This means that the results of the study can be applied to rural landscapes generally.

A study of the rural decision making process can not be limited to an investigation of planning procedures. To fully understand rural decision making the actual results of the process must be studied. This means analyzing the rural sector itself. The rural landscape reflects the actors involved in the decision making process and the trade offs that have taken place. Yet earlier studies have tended to divorce the theoretical side of rural decision making from what actually takes place in the rural sector. To bridge this gap a decision making model was generated in which decisions made in the framework can be related to actions carried out in the rural landscape. The model is based on many of the current assumptions concerning power relations between groups and institutions.

The Rural Decision Making Model

For simplicity the model will be explained in two stages. The first stage (Figure 1.1) looks at the different groups of actors who are involved in rural decision making and the land use topic which was selected to demonstrate the

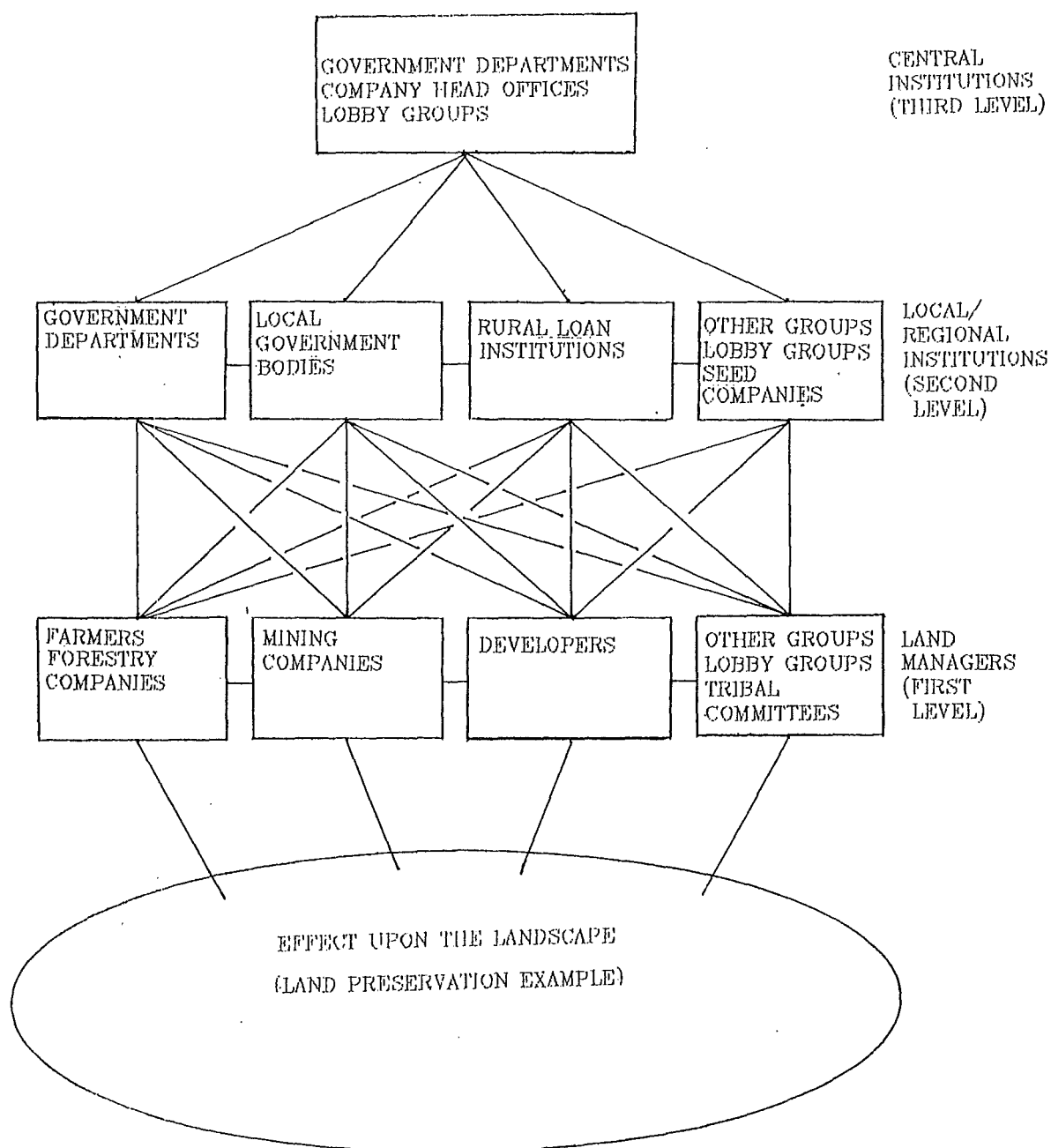


Figure 1.1 The Lines Of Interaction Between The Rural Actors

Source: Author

decision making process. The second stage looks beyond the physical actors involved in decision making to the economic, political, and social environment in which the process operates. Neither Figure 1.1 nor the full model (Figure 1.2) attempts to show all the actors involved in decision making and all the interactions between them. But Figures 1.1 and 1.2 do include enough of the participants to act as a sound first step in assessing if there is such a thing as a rural decision making framework.

For a realistic investigation of the rural decision making framework the model had to incorporate a physical land use outcome which could be shown as resulting from the process. Land preservation was an appropriate topic for this investigation as it covers a broad range of land use issues. The definition of land preservation used throughout this research was developed from a study of New Zealand and international environmental publications and environmental law.

Land preservation is not only setting areas aside to protect the habitats of native flora and fauna, it is also good land management. This means working the land as a sustainable resource and introducing farm practices which protect the soil from erosion and which retain or increase the vegetative cover.

The advantage in using land preservation was that the topic has a clear, identifiable result, whether it is setting tracts of land aside or simply good land management. And many of the areas that the land preservation topic covers involve the participation of Government institutions (eg Catchment Boards for river protection and land retirement).

As a result there is documentation on the actors involved in the decision making process. Land preservation is also a topic which has been directly influenced by the changing political, economic, and social environment within New Zealand, so an investigation of the topic can show the influence of external factors (eg changing public attitudes towards mineral extraction).

With a clear land use as the study's base, it is possible to relate decisions made by actors in the decision making model to actual landscape changes. The organization of the actors (individuals, Government agencies, and private institutions) within the model is a result of current attitudes on how the flow of funds, central planning and decision making should progress through a system. The positioning of the lines of interaction was an arbitrary decision, based simply on perceived ideas of who influences which groups. In this model the actors are arranged in levels. Future chapters shall test the validity of this form of analysis and what the true links and their strengths are.

The first level of decision makers in Figure 1.1 are the group of land managers. These are the people and organizations who directly affect rural land use and the form of the rural landscape. Great diversity exists within this group, as it covers all the rural land users, (eg farmers, foresters, miners, developers, and Maori tribal committees). These individuals, boards, and organizations are the group who implement the rural policy at the ground level. Rural policy includes both the individual policy of the farmer or Board and the imposed policy from higher levels in the decision making framework. The imposed policy

is in the first instance controlled from the local level (second level of decision makers).

The second level actors can include regional Departments of State, Local Councils, and branches of larger business enterprises. This level of organizations encompasses many actors which are not commonly considered as affecting rural land use, such as financial institutions, the DSIR, and seed companies. The interaction between these regional organizations and the land managers can take the form of planning consent for projects, agricultural advice or, at the extreme, actual control of farm activities. Within these organizations individual managers have a degree of flexibility but are constrained or directed by central Departmental policy, planning legislation, or business guidelines. These are formed at the third level of decision making, company or Departmental headquarters. The model also includes those actors who undertake political lobbying. They are included at each level as they usually have a network of local representatives as well as a central organizing authority.

A feature which the model and the outline of the actors brings out is that individuals within the framework, whether they are farmers or chief executives, have an important role to play; and that time should be spent to learn how important a factor individual choice is in decision making. A major feature of the study has therefore been to identify how farm, bank, or Departmental managers can shape rural policy and the final landscape outcome. There is an element of individual choice at all levels. It is assumed that the land users have the greatest freedom of

choice, and that individuals higher up in the structure are constrained by policy guidelines. But is this true? Land managers, by financial constraints or some other factor may be even more tied in their decisions than head office personnel.

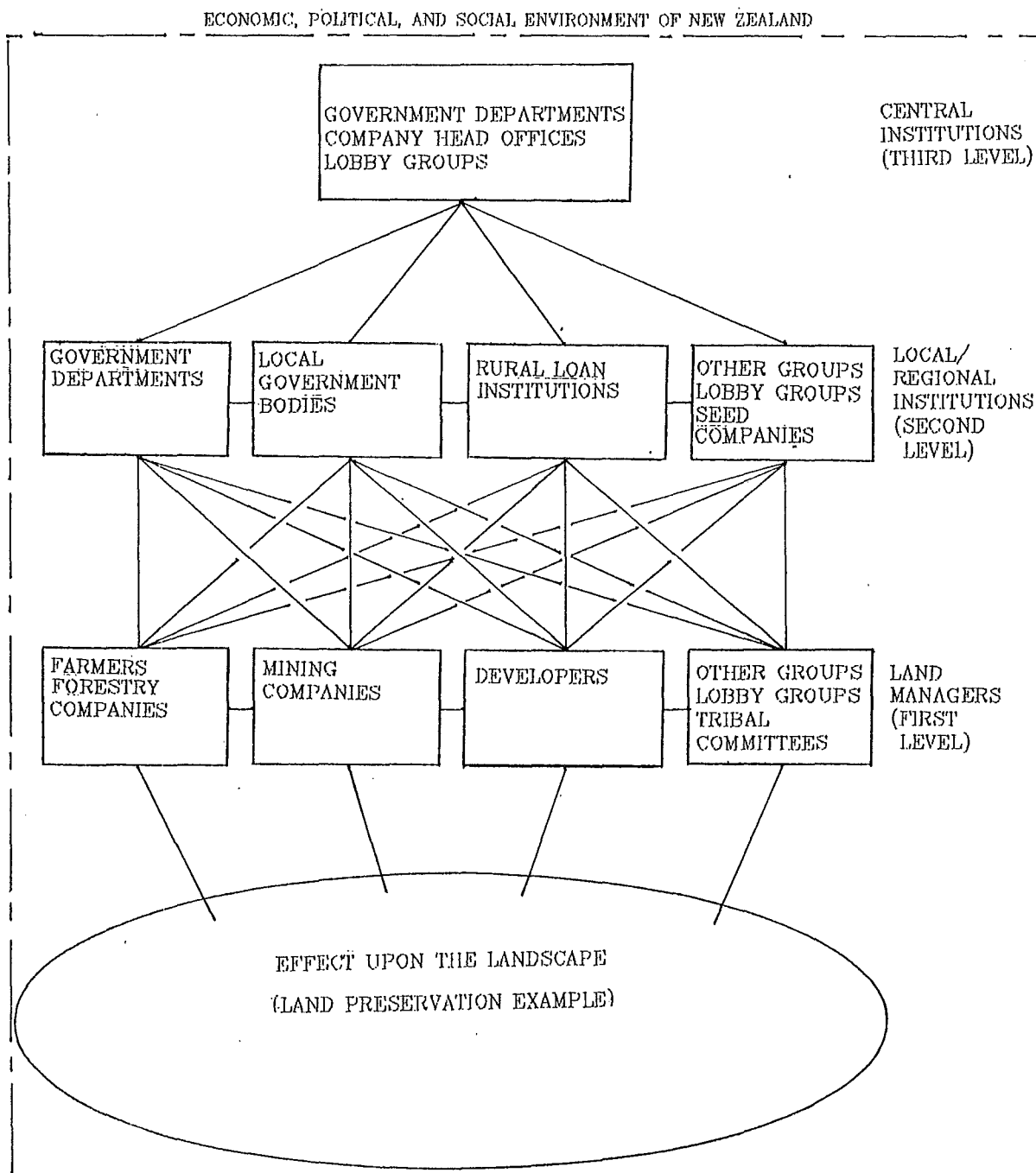


Figure 1.2 The Rural Decision Making Model

Source: Author

The National Factors Which Can Have An Impact On Rural Decision Making

In the previous section the discussion concentrated on the rural actors who make up the decision making framework, now in this second stage the wider forces within New Zealand society which can influence rural land use decisions will be looked at. The full model, (Figure 1.2) demonstrates that the individuals and institutions which make up the decision making framework work within a wider context than their own limited area of interest. The outside line illustrates that the rural decision making process works within a national framework. And that decisions made in the rural sector are influenced by national economic, political, and social policies. Often these national policies are not considered, or are thought to play a neutral role in decision making, whereas in fact the degree of national economic, political, and social pressure on decisions is considerable. The other point which must be considered when looking at national policies is that they do not remain static, but are constantly changing.

The New Zealand economic environment, political environment, and social environment need to be defined from the outset as they will be referred to through the study. The political environment refers principally to the system of legislation that is in place in New Zealand, and the Departments, Tribunals, and consent procedures which are used to carry out the aims of the legislation. When reference is made to the changing political environment it shall mean the changing laws on a certain field, or the

altering of Departmental guidelines. The New Zealand political environment will be outlined fully in Chapter Three when the study looks at what legal procedures Departments have to influence rural decision makers.

The economic environment refers to the economic state of the economy (eg how buoyant the economy is), and what criteria rural actors use when they are authorizing development finance or allocating financial grants. And the final area, that of the social environment relates primarily to the national and international feeling towards environmental issues, and how this feeling has been heightened over the years by pressure groups and by Government actions, such as establishing a Conservation Department and a Ministry For The Environment. These national and international views on land preservation and environmental issues have been compared with the attitudes of the rural actors towards environmental issues. In the interviewing of the rural actors there was always a question which related to their environmental attitudes. This question was included so that comparisons could be made with national environmental views.

The study has concentrated on understanding how the current decision making framework operates, but it is obvious that the framework has to be looked at in a longer time frame. No sector of New Zealand society could ever be considered as remaining static. Like any area of human activity rural decision making is an evolving system. The number and type of actors within the rural sector are constantly changing, as is the economic, political, and social environment in which they operate. Individuals and

institutions are removed, or merged, while there are new ones coming onto the scene. In the case of the rural sector there is a stream of new land users coming into the system and just as many retiring, enlarging, or subdividing their properties. Businesses such as stock and station agents and seed companies have altered greatly, there have been mergers (eg Wrightsons, Dalgety, and Crown), and new entrants (eg Elders). And on the Governmental side, Councils have merged to form larger units (eg Hurunui) and Departmental roles have changed, such as the Forest Service being divided into a commercial company under Timberlands and a profit making forestry consultancy enterprise. Because of these changes the study has had to explore not just the present framework but the evolving rural structures in New Zealand.

The Research Methods Used In This Study

The first part of this introductory chapter has outlined the aims of the study, while this second part will elaborate on the research methods used to collect material on rural decision making and land preservation. A large part of the research involved direct questioning of key managers in the various Local Government Bodies, Government Departments, financial houses etc. The timing of the study was historically opportune as many of the Local Government Bodies are soon to be abolished or absorbed into larger Regional Councils. This will mean that formerly independent Boards such as Pest Control and Nassella Tussock will simply become divisions of the new territorial bodies. The loss of these local Boards in the drive to regional centralization

shall have two major consequences. The first is that the expertise and knowledge that is held by the local managers on how the rural decision making process operates could be lost, when these local managers are moved or made redundant. Secondly, the creation of larger Regional Councils will mean that a number of the institutions which helped to shape the Canterbury landscape over the past century will be removed from the smaller centres. As a result of these two factors any later study on rural decision making would not have all the Local Government material available to undertake this type of research.

In most cases the questioning of the rural managers was based on formal questionnaires. There were five basic questionnaires, which can be seen in Appendix One. The type of questionnaire, the number of respondents, and the area they were distributed to are shown in Table 1.1. The questionnaires will be the basis of the case studies in later chapters.

The Farming and Mining/Development questionnaires were aimed at the actual land managers (the first level of rural decision makers). As Table 1.1 shows, these two questionnaires accounted for the majority of the field interviews which were undertaken in the Canterbury region.

Table 1.1 Questionnaire Type And Area Of Distribution

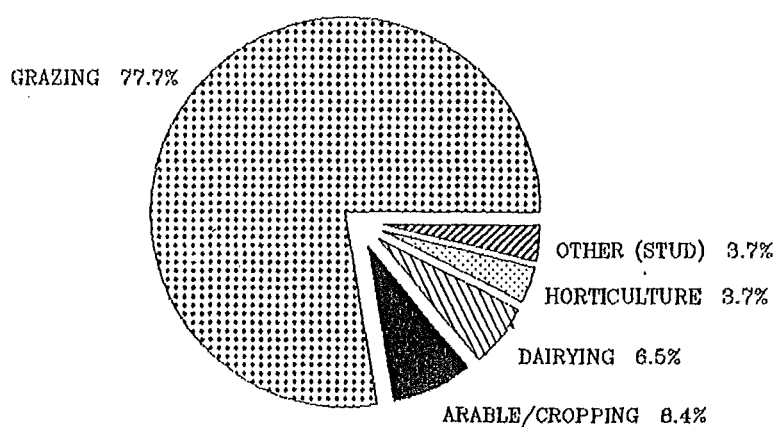
Questionnaire Type	No. Of Respondents	Area In Which Distributed
Farming	107	Canterbury
Mining/Development	10	Canterbury
Local Government/Quango	18	Canterbury
Government Departments	7	National
Financial Institutions	10	National

Source: Land Preservation Questionnaires

The reason for this is that the land managers have greater diversity in their views and land use actions than any other group of rural actors. This meant that it was important to get a good representation of land use types and a fair distribution across the province. The Farming questionnaire (see Appendix One) was devised to cover all the possible farming activities, from dairying to bulb production, while the Mining/Development questionnaire was developed to cater for the mining and development land use activities, which can range from gravel/limestone quarrying to the development of industrial subdivisions.

The type of farming operations surveyed can be seen in Figure 1.3. The respondents to the Farming questionnaire were concentrated in the field of cattle, deer, and sheep grazing, which reflects the nature of farming in Canterbury. Figure 1.4 details the nature of the farms surveyed, in terms of land type. The figure shows a reasonable balance

Figure 1.3 Type Of Farming Undertaken By Respondents



Source: Farming Questionnaire

Figure 1.4 Type Of Farm Worked By The Respondents

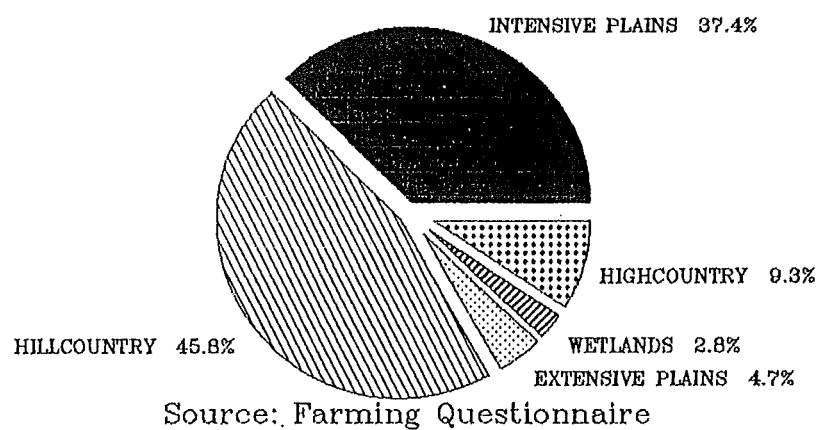
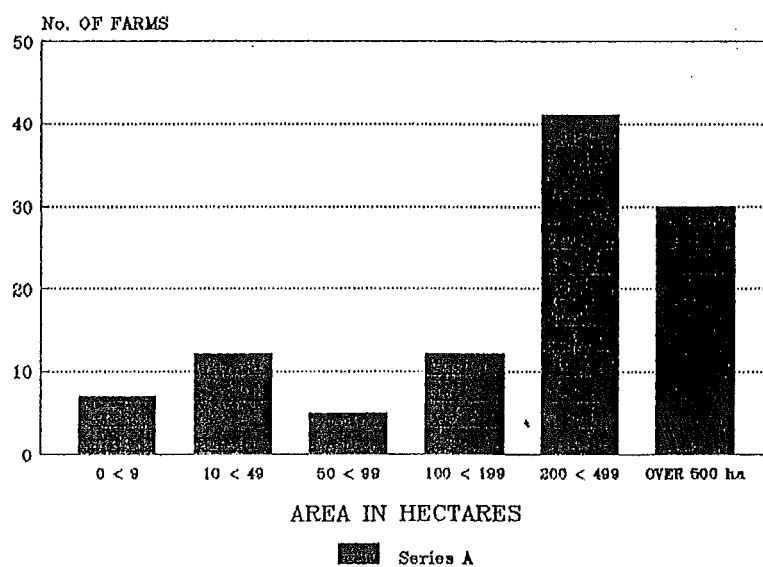


Figure 1.5 Size Of Farms Surveyed



Source: Farming Questionnaire

between those farmers on lowland properties and those on rolling hill country. And finally Figure 1.5 outlines the size range of the farms in the study sample.

Of the ten responses to the Mining/Development questionnaire, five were from quarrying companies, as the Canterbury region contains few minerals in sufficient quantities to make other forms of mineral extraction viable. The other five Mining/Development responses were from developers who were a mix of industrial and residential developers.

The other three questionnaires were aimed at the organizations which control either rural financing or planning consent. The actors questioned were significant second or third level institutions in the decision making framework. Two of these questionnaires were aimed at Government agencies; and the third looked at the private lending sector. The first was to Local Government authorities, which includes Councils, Catchment Boards, Parks and Reserves Boards etc, while the second Governmental questionnaire was directed at Government Departments, both at the regional and national levels. The final questionnaire was aimed at financial houses and stock and station agencies.

There were a number of individuals and associations (eg environmental groups, sporting associations) which did not fall into neat groups and for which questionnaires could not be developed. These actors either had a unique role (eg Federated Mountain Clubs of New Zealand) or they were organizations which had to be carefully handled to gain their trust. In these cases an informal interview was used

to gain information upon the role of the actor in the rural sector.

The questionnaires and interviews had the primary aim of finding out how these rural actors operated and what their attitudes were towards land preservation and land management. When the actor being questioned was a Government agency or private institution the aim was also to find out what legislation affected the running of their operation. The questionnaires and interviews also attempted to gain clear examples of how the rural land managers have been affected in their decision making by other groups. In each questionnaire there were sections which asked how the rural managers had been affected by other actors in their land use activities. For instance in the case of farmers they were asked which bylaws they had to work through to get planning consents or what conditions banks and other institutions had imposed on them before they were given loans. These examples were collected with the aim of giving the hypothetical structure outlined in Figure 1.2 a sound empirical basis. The examples highlight which actors within the structure have the most say in developing the rural landscape.

The Secondary Resource Material Used In This Study

The research has also included an investigation into locally and internationally published material. The issues covered in this literature review were: land use planning, land preservation, and the revised managerialist theory.

The land use planning investigation involved looking

at the district schemes, Departmental guidelines, and the planning legislation that Councils and Departments have to work by when they are issuing planning consents. The review has provided an insight into the organization of New Zealand's planning system and has shown how the rural actors operate within the system. A detailed explanation of how the planning system operates will be given in Chapter Three.

The review of land preservation publications has revealed a number of interesting aspects about the public attitude on this issue and development of the land preservation movement. In particular the review has shown that many people, including specialists in the field of environmental research, do not understand the nature of land preservation. As a result the term has been used in a variety of ways. This has aroused an unwarranted suspicion of land preservation research, especially by property owners. Property owners fear that preservation policies are aimed at locking away their land and removing their land owning rights. Property rights are one of the fundamental legal pillars of western society and any attack on property owners' freedom of action is resented. A careful investigation of the land preservation literature and the legislation which has developed from it shows that land preservation does not concentrate on locking up land but developing the land's sustainability. This confusion as to the meaning of land preservation has arisen because it is an issue which has evolved over time and has come to mean a number of things. As a consequence any comprehensive definition of land preservation must be of a broad nature.

The current land preservation movement developed in

the mid 19th century and had the aim of promoting sustainable land use.

"For the first time people began to realize that land and soil, especially, were non-renewable resources" (Brown, 1974, 14).

The land preservation debates began with an outpouring over the loss of fertile arable and pastoral topsoil due to over exploitation and de-forestation. The early research came particularly from the United States, which was suffering from major soil erosion problems. The attention of the United States public to the problems of soil erosion and loss of native vegetation came through the works of several major researchers in the 1860's and 1870's, including G.P.Marsh in his classic book *Man And Nature, Physical Geography As Modified By Human Action*, published in 1864. These researchers brought the erosion question into the public arena by showing what the harmful consequences of rapid agricultural development on natural soils could be. The soil loses its biomass layer and is no longer protected from wind and rain erosion. Without a permanent cover, soil fertility is leached out and the soil can no longer maintain adequate moisture levels and breaks up easily. This denudation of the land increases sediment flow in rivers, and the probability of flash flooding.

The soil preservation debates reached a critical peak during the 1930's, not just in America with the Dust Bowl in formerly high productivity States but also in countries like New Zealand. In this period the research on land preservation was not aimed at locking areas away (unless it needed complete retirement), but at managing the land in a

proper manner. Much of the research since this time, by national bodies (eg the United States Soil Conservation Service, the NZ National Water & Soil Conservation Authority) and international bodies (eg Food And Agricultural Organization of the United Nations), has been directed at improving cultivation procedures, such as introducing high biomass yielding crops. The classification

Land-capability Classification	LAND CLASS	LAND-CAPABILITY AND USE PRECAUTIONS	PRIMARY USES	SECONDARY USES
Group I. Lands Suitable for Cultivation				
	I.	Excellent land, flat, well drained. Suited to agriculture with no special precautions other than good farming practice.	Agriculture	Recreation Wildlife Pasture
	II.	Good land with minor limitations such as slight slope, sandy soils, or poor drainage. Suited to agriculture with precautions such as contour farming, strip cropping, drainage, etc.	Agriculture Pasture	Recreation Wildlife
	III.	Moderately good land with important limitations caused by soil, slope, or drainage. Requires long rotation with soil-building crops, contouring or terracing, strip cropping or drainage, etc.	Agriculture Pasture Watershed	Recreation Wildlife Urban-industrial
	IV.	Fair land with severe limitations caused by soil, slope or drainage. Suited only to occasional or limited cultivation.	Pasture Tree crops Agriculture Urban-industrial	Recreation Wildlife Watershed
Group II. Lands Not Suitable for Cultivation				
	V.	Land suited to forestry or grazing without special precautions other than normal good management.	Forestry Range Watershed	Recreation Wildlife
	VI.	Suited to forestry or grazing with minor limitations caused by danger from erosion, shallow soils, etc. Requires careful management.	Forestry Range Watershed Urban-industrial	Recreation Wildlife
	VII.	Suited to grazing or forestry with major limitations caused by slope, low rainfall, soil, etc. Use must be limited, and extreme care taken.	Watershed Recreation Wildlife Forestry Range Urban-industrial	
	VIII.	Unsuited to grazing or forestry because of absence of soil, steep slopes, extreme dryness or wetness.	Recreation Wildlife Watershed Urban-industrial	

Source. Modified from land-classification system of U.S. Soil Conservation Service, Department of Agriculture. (From Wohletz and Dolder, 1952.)

Note: The Use columns in particular depart from the usual SCS form.

Table 1.2 United States Land-Capability Classification

Source: Dasmann, 1976, 120.

of soil types and their potential for production by national agencies has gone a long way in preserving the land through identifying the best crop types and farming practises for an area. Land classifications such as the United States Soil Conservation Service model (see Table 1.2) are aimed at preserving the soil as a renewable resource. The United States system of grading lands from I to VII and specifying what the best pasture techniques for these land types are has been introduced to a number of countries, including New Zealand. The land preservation concept has evolved from a concern over the loss of valuable topsoil to include such topics as forest preservation, water quality preservation, and species (flora and fauna) preservation.

Land preservation's broad scope is highlighted by a question in the farming survey, (see Table 1.3). An analysis

Table 1.3 Responses To Question 8: What Do You Consider Is Meant By Land Preservation?

<u>Land Preservation Categories</u>	<u>Number</u>	<u>%</u>
(a) Managing the land to suit the climatic soil conditions (good land Management)	33	30.8%
(b) Planting/retaining trees to protect the soil against wind and water erosion	39	36.5%
(c) Sustainable land yield	6	5.6%
(d) Land retirement	2	1.8%
(e) Keeping out introduced Animals	1	0.9%
(f) Preventing subdivision	1	0.9%
(g) Protection of natural areas and the landscape	22	20.6%
(h) Shutting land up or taking out of production	3	2.8%

Source: Farming Questionnaire

of the views towards land preservation by the 107 farmers in the survey revealed that the term had no fixed definition but that it covered a broad spectrum of fields. The grouping of their views into the eight categories showed that correct land management and the retention of vegetation to prevent erosion were the two major farming views towards land preservation. Therefore any study of land preservation must encompass a number of topics, rather than concentrating on a single one, like species preservation.

To highlight the way in which land preservation has evolved into its present broad form, the evolution of the movement in the United States will be examined. In the United States the research has moved from a concentration on forestry and soil preservation to an enlarged perspective which involves habitat preservation for native flora and fauna and the preservation of the United States' scenic attributes. The United States land preservation movement developed its momentum after the 1872 Conservation Act, which established Yellowstone National Park and the Parks System. The Act was aimed at stemming deforestation and the worsening erosion problem. Only in the early 20th century did the preservation of flora and fauna gain wide recognition. United States research since this period has highlighted the need to keep a large diversity of species (animal and plant), so as to maintain the global ecological balance and to prevent species inbreeding. The preservation of animal and plant species is not only seen as an environmental priority but as an economic necessity as these species will provide the basis for future pharmaceutical and agricultural advancements. United States research has

concentrated on understanding the habitats and ecosystems of species, so that appropriate sized areas can be set aside and harmful farming practices can be recognized and remedies introduced to lessen their impact.

During the 1960's the concept of preserving the actual landscape came into its own in the United States, through the 1964 Wilderness Act and the 1968 National Wild and Scenic Rivers Act. These Acts were an attempt to preserve distinctive landscape features (eg wild rivers, wilderness areas) from over exploitation. Along with these new avenues of land preservation research the earlier fields of forestry, soil, and water preservation continued to receive a significant amount of attention. As a consequence, the United States' current attitude towards land preservation and land use is not to lock areas away but to maximize their "aesthetic, educational, recreational and economic benefits to society" (Jones, 1987, 11).

The last major area of research in terms of published material was in the field of managerial and revised managerial analysis. The revised approach, and especially the work of Peter Williams (1978, 1982, 1984) has been used in this study as the basis for constructing the model in Figure 1.2 and in determining who are the actors that should be interviewed and what form the questioning and analysis should take. A study of this approach and its applicability to the field of land preservation will be the basis of Chapter Two. The chapter lays out the theoretical approach that has been taken in the study and outlines how it has been applied to analyze the complex structure of rural decision making.

CHAPTER TWO

RURAL DECISION MAKING AND THE REVISED MANAGERIALIST APPROACH

The theoretical framework for this study is based upon the revised managerialist approach. Although this approach is more commonly associated with urban issues it has been used successfully to investigate rural political structures, (eg Cloke (1979, 1984), Newby et al (1978), and Shaw (1979)). The basis of managerialism and the early empirical research in this field will be dealt with in the first part of the chapter, while the later part of the chapter will focus on the criticisms of managerialism and how the revised approach has overcome most of these issues.

The Origins Of The Managerialist Approach

The approach has its origins in the work of Max Weber (1947). The focus of Weberian sociological analysis is that competition for resources arises when you have groups and individuals with varying aspirations; and that as a result of this competition society develops an institutional framework which regulates the distribution of resources. Weberian analysis has fostered research into the institutional control of resources and into the managers who make up the institutional structure. These two areas of research are key elements of the managerial approach. A third element is that the control of resources by institutions and managers has significant spatial ramifications.

The first study to bring these three elements together was Rex and Moore's 1967 paper on the housing allocation process in Birmingham. The study highlighted the Weberian concept that institutions have become the major allocator of resources. They showed how the policies of private and public institutions have had a significant effect upon the type of housing constructed and on the type of occupants. This early work was built upon by the sociologist Ray Pahl (1970, 1977, 1979). He has argued that researchers should investigate the role of institutional managers in decision making, as well as the institutions. Pahl sees the managers as the key resource allocators, as it is their decisions which will determine if a person is given planning consent or if they receive the loan they desire.

Early managerial studies in Britain and North America looked principally at what Pahl has termed the gatekeepers. These are the financial managers (building society managers), information managers (real estate agents), and the allocation managers (Government housing managers). These managers are supposed to share a common ideology, which means that they implement similar policies, and they judge applicants for housing allocation or finance on the same standards.

Studies in Aberdeen (Twine & Williams, 1983), Birmingham (Henderson & Karn, 1984), and Hull (Gray, 1976) have shown that Pahl's gatekeepers do have a major influence on the distribution of city resources. The three studies have demonstrated that public housing managers have been able to manipulate the allocation process so as to segregate the Council estates. The estates in these three studies have

been socially and racially segregated.

A similar picture can be seen for the financial managers. A study by Bassett and Short (1980) on the role of financial managers in the United Kingdom has revealed that these managers are able to control the location of ethnic and social groups within a city. The financial managers have this power as they are the ones who decide if an applicant is suitable for a loan.

The Relevance Of The Managerial Approach To Rural Studies

The concept of studying managers in the rural context is not an original approach. A University of Essex team (Newby et al, 1978) explored the influence that landowners in East Anglia have had on local politics and how they have been able to manipulate county planning bylaws. The team achieved this by investigating the positions that land owners held within Local Government and the actual policies and planning guidelines the Councils introduced to settle land use disputes. The team's study of how one major group (land owners) can affect the decision making process is a key issue in managerialism and shall be a central theme in this study.

In the East Anglia case the researchers found that landowners made up 21% of Council members (rural and urban Counties) but held 30% of the chairmanships and usually the majority of strategic offices such as planning committee heads. A significant aspect was the close relationship between the farming members and the planners in many of the East Anglia (Suffolk) Councils. Because of this close

relationship the interests of agriculture and planning were seen as identical and planning decisions tended to reflect an agricultural bias. The views of the farmers prevailed in this decision making framework and less influential groups suffered. An important aspect was that the land owners and the agricultural orientated members (eg those involved in farming related industries) were usually well organized compared to their opposition. This improved their ability to dominate the Councils. A prime example of farming influence was over the designation of Dedham Vale (boundary of Suffolk/Essex) as an area of 'Outstanding Natural Beauty' (late 1960's). The designation restricted the size of industrial buildings but it left farmers free to work the land as they pleased. This example highlights the influence of one group of managers in the decision making framework. Although the research team concentrated mainly on land owners they did take into consideration that the Councilors and planners were set in a wider framework, and that this framework was principally controlled by Central Government legislation.

There have been few studies which have attempted to investigate rural decision making from a national as well as a local perspective. One of the few studies which has taken a broader perspective was undertaken by Cloke and Little (1985) upon the planning system in Gloucestershire. Their study looked at the introduction of new housing and service planning procedures for the County of Gloucestershire in the late 1970's. The study looked at both the formal and informal process of decision making. At the formal level the study focussed on the drafting process and the Central

Government guidelines. And at the informal level Cloke and Little looked at what aims the planners had in drafting the scheme, the motivations behind the Council's actions, and the way that the Conservative Government rewrote much of the scheme to suit its own goals. By taking this approach the researchers were able to identify the key managers, the planning structure, and the social environment in which the decisions were taken. This type of approach towards rural decision making is similar to what is being attempted in the present study.

At the New Zealand level one of the recent works along this line was that of Robert Murray (1985). His work follows the same path as the East Anglia study. He looked at the three North Canterbury Counties of Amuri, Cheviot, and Hurunui, and investigated the political development of this area, and the influence of major landowners on local politics. Murray outlined the dominance of farmers and especially major landowners such as the Rutherfords and Macfarlanes on the Local Councils. This farmer domination was shown by Murray as resulting in bylaws and district schemes which were weighted towards the protection of economic farm units. The Council's have consistently opposed land fragmentation, even in the face of local opposition. This highlights yet again the role of the individual. However by limiting the study to political evolution Murray has biased his results by ignoring external economic and social forces which are also major contributing factors to political evolution.

The Revised Managerialist Approach

Early managerialism, as expressed by Pahl (1970), lacked a clear theoretical framework. Pahl failed to outline the actual role of the managers, their interrelationships with other managers, and the political structures within which they operated. Even in his later works (1977, 1979), where Pahl examines the various forms which managerialism can take, he fails to clearly establish what type of relationship exists between the decision making levels. His divisions between pure managerialism (resources controlled by professional officers with common views) and capitalist controlled managerial systems (where resource allocation is controlled by the interests of capital) are not backed up by clear empirical evidence. Pahl's later works did nothing to establish the clear concepts which were needed to test the empirical results. It was not until the late 1970's and early 1980's that researchers attempted to create a clear theoretical framework. With such a framework the empirical studies which managerialism has fostered could be tested. One of these researchers was Peter Williams (1978, 1982, 1984) of the University of Birmingham.

The major difference between the early and the revised managerialist approach is the role that managers have in the decision making process. Managers are no longer seen as having independence in their actions. The institutional managers are seen as working within a national and international context. This is a major change from the earlier view that said managers are able to make decisions based solely on their own opinions.

The second change that Williams has introduced is the development of a coherent decision making framework. The framework not only looks at the actors involved in the decision making process but also at the linkages between them. The framework is based on the concept that no decision can be seen in isolation. All decisions which managers take are influenced in some way by: institutional policy, by Government legislation, or by economic criteria. As a result of this it is possible to identify what actors and policies influence managers in their decision making.

The revised approach has also removed much of the deterministic attitude that existed within early managerialism. Managers do not all share the same values and social ideas. Managers have individual views and as a result each decision making case is unique. Each manager will interpret and implement pieces of legislation in different ways. Even in tightly worded legislation there is some flexibility of action. Managers also do not make decisions simply on personnel experience. Many factors affect their actions. By considering these aspects Williams has been able to develop the approach into a more coherent theory. Instead of vague ideas about managerial control he has placed managers within an institutional framework which in turn is influenced by the economic, political and social environment of the economy. The revised approach has become a more widely used approach since the late 1970's, particularly in the field of housing. Bassett and Short (1980) in an English housing allocation example showed that:

"Central Government policy sets the framework for Local Government policy by specifying the forms of

intervention that are open to Local Governments and by establishing priorities between different policy options" (Bassett & Short, 1980, 101).

Marxist Criticisms Of The Managerialist Approach

The researchers who have taken on the broader managerialist approach have incorporated the major criticisms of the earlier works, particularly from the Marxist critiques of the mid 1970's. The new research is now concentrated on the actual structure of decision making, which means that a clearer explanation of the distribution of power and the role of individuals within the framework can be put forward. The past attacks on managerialist research have been principally from the Marxist housing and resource allocation authors, such as Castells (1976) and Harvey (1973). In the Marxist perspective managers have:

"... no independence as such, but were responding to economic, social, and political priorities which were derived from the capitalist mode of production" (Williams, 1982, 97).

Marxist authors consider decisions are taken purely to suit the demands of the capitalist mode of production. They argue that the:

"... allocation process and its outcome are fundamentally derived from the class nature of capitalist society and the role of the state in maintaining social stability and enforcing the status quo" (Clapham & Kintrea, 1984, 263).

Yet these authors have not been able to give a coherent

explanation as to how the class system actually controls the allocation system. Marxist authors have also disregarded the States' political role in the allocation process and the important factor of social pressures influencing allocation. The Marxist approach has hindered rather than aided work in this field. Allocation does not simply respond to the economic needs of capital. The State and the managers who make up the institutions do have a degree of flexibility in the allocation of resources.

The Marxist authors have put forward a number of sweeping statements as to why certain patterns of allocation occur, but on the whole these statements are not backed up by concrete low level studies. And when they are compared with reality they are shown as deficient. One of Williams' major aims in the revised approach was therefore to develop a framework which could be used to identify the allocation patterns and then be able to explain why the patterns occur. The approach has also been made flexible enough to cope with situations where there are regional variations. This regional flexibility and the lack of pre-determined results are the two major advantages in using the revised managerialist approach over more established theories.

The Marxist allocation theory and the authors who have written from this perspective have also been unable to cope with contradictions in policy guidelines that exist between Government Departments and the various business sectors. Government Departments for example do not all follow a set course which aims at benefiting the capitalist mode of production. Each Department has its own political agenda as they are supposed to represent different sector

groups, (eg agriculture, mining). The State apparatus like any organization is attempting to achieve several objectives at the one time, some of which may not be compatible. The managerial approach more than any other has been of assistance in judging how the different Departments resolve a rural land use problem, in spite of their varying policies.

Conclusion

In summary, the revised managerialist approach is to act as the theoretical basis of the study and as a source of case study material. This means the current research is being based upon the premise that rural land use change is the consequence of a decision making process which involves individuals and organizations from the local to the international level. And that decisions are usually a compromise between the objectives of the various rural land use actors. The past managerial research (both rural and urban) has clarified which actors should be interviewed and how they should be grouped together. And just as significantly the past studies have highlighted a number of the problems which have to be considered when taking an approach such as managerialism. The approach has therefore been useful in studying rural decision making as it has an established framework and it has a base of existing empirical research.

CHAPTER THREE

WHAT LEGISLATION CONTROLS THE RURAL DECISION MAKING PROCESS IN NEW ZEALAND

The purpose of this chapter and Chapter Four is to set out how the rural decision making framework operates in New Zealand and to compare this with the hypothetical model which was outlined in Chapter's One and Two. The comparison has revealed that a rural decision making framework does exist in New Zealand, but that it is not as straightforward as the hypothetical model in Figure 1.2. The study has found that there are three factors which prevent the model from operating in the way that was outlined in Chapter One. The first of these is that there is an abundance of land and resource legislation within New Zealand, which has meant that there is no straightforward planning process. A large number of Departments and institutions have been given a legal right to participate in settling land use debates. With such a wide range of actors it is difficult to establish which are the final decision making bodies. The result of this situation is that actual responsibility for rural decisions is often blurred.

The second factor which makes the New Zealand rural decision making framework different from the model is the level of informal negotiation which goes on between the institutional managers and the land users. New Zealand has a personalized decision making process, where most of the disputes are hammered out at the local level between the land user and institutional actor. This means that institutions with strong managers at the local level are

able to achieve a heightened role for their Department or organization within the decision making framework. And those institutions with a weak personnel structure will have a diminished role in the rural sector. The consequence of this for the decision making process is that the influence of an institution can vary over time even though the legislative framework may stay constant.

The third key factor in why the framework is less than straightforward is the fact that the actors do not remain constant. Most actors (Government Departments, stock and station agents, lobby groups etc) go through regular restructuring. The change may be a merger, a diversification in interests, or a termination of operations. In all of these cases the change causes a re-alignment in the decision making process.

These three factors make the New Zealand rural decision making framework a difficult process to comprehend. But it is still possible to explain the process in some detail and produce a model which shows the major actors involved in rural decision making. The first stage in understanding the rural decision making framework is to clarify the legislative surroundings in which the process operates, as this will identify the crucial Government actors and the formal decision making process. The second and final stage is to outline the role of institutional managers within the decision making framework and to explain how non-governmental agencies such as financial institutions can affect decisions. The second stage will be the basis for chapter four while the present chapter will describe the legislative framework.

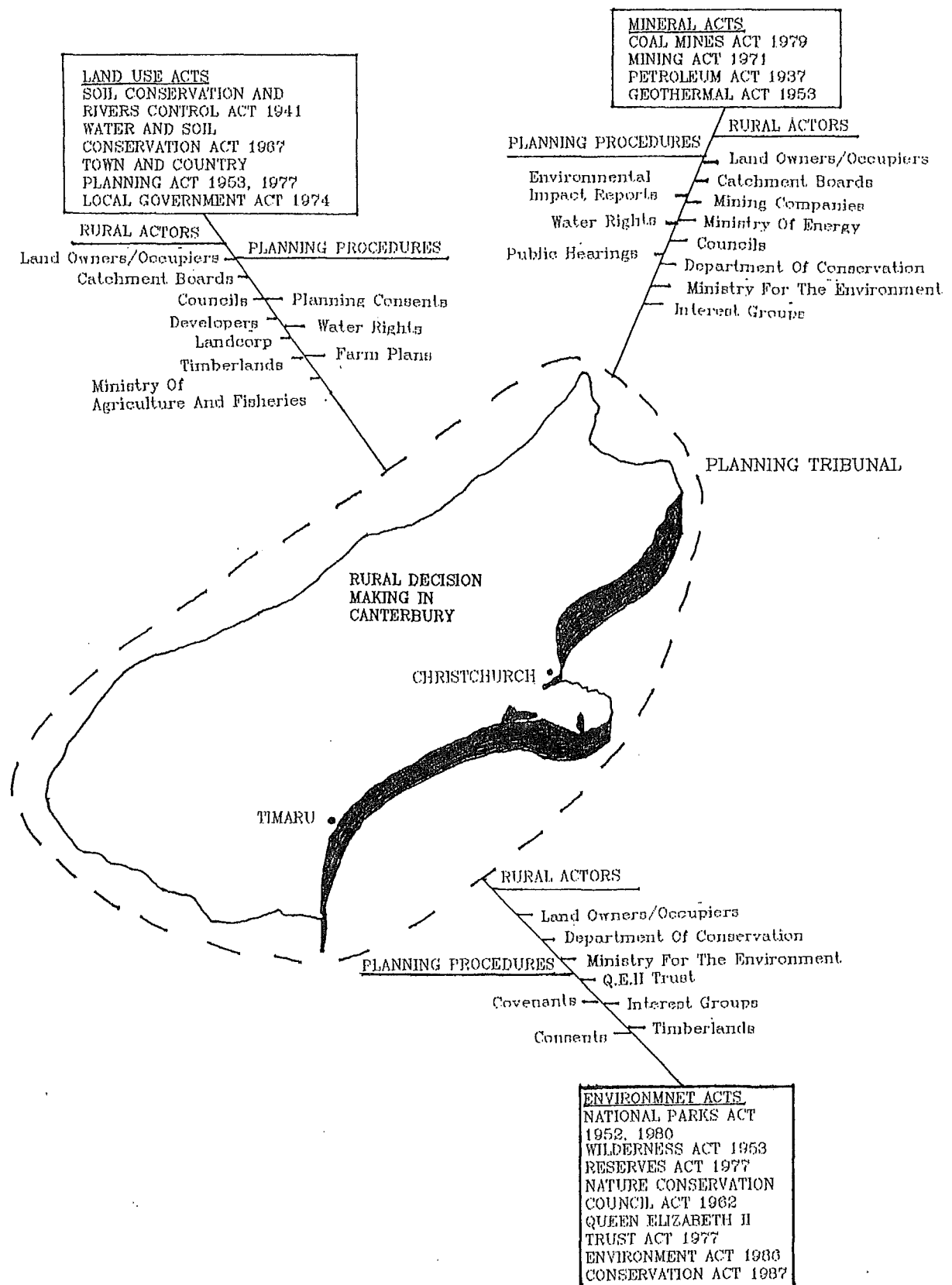


Figure 3.1 The Legislation, Actors, And Procedures That Affect Rural Decision Making

Source: Author

New Zealand's Formal Rural Decision Making Framework

New Zealand's formal rural decision making framework is based on three fields of legislation (environmental, land use, and mineral legislation). These three fields of legislation, the rural actors they affect, and the statutory planning procedures they require the actors to work through are shown diagrammatically in Figure 3.1. The pieces of legislation outlined in the diagram constitute a formal decision making framework as they require land users (farmers, miners, developers, foresters) to follow an established planning procedure before they can get the consents which are needed to undertake new land use activities. The legislation details what form the planning procedures must take (eg Water Right Hearing) and what conditions can be placed upon the activity.

The legislative framework shown in Figure 3.1 is a complex structure as there is no all encompassing Act to control the process. At present there are three separate fields of legislation. As a consequence there is confusion over which Government agencies have the authority to settle land use disputes. Situations have occurred where there can be several agencies dealing with an issue at the same time but under different legislation. The only point at which these three fields of legislation meet is in the Planning Tribunal (or High Court, where Tribunal decisions can be appealed to on a point of law). The Planning Tribunal was established by Parliament so there could be an impartial legal court overseeing the running of the decision making process. The Tribunal's decisions are based on the current

interpretation of New Zealand's planning laws. The Tribunal has no power to make private judgements or to judge the fairness of the legislation.

The legislative framework which the Tribunal oversees is not an equitable system. New Zealand's rural planning legislation is weighted in favour of certain land use activities. And the Governmental agencies which manage the rural planning legislation are not given equal statutory powers. The legislation gives some agencies a range of powers (eg able to veto operations or impose conditions), while others are limited to giving out advice. The legislative framework has also created a confrontational situation between the Governmental agencies, as their empowering legislation directs them to represent particular sector groups (eg mining, farming, conservation). This means the agencies end up advocating different points of view. The new Government initiatives over the past decade in the fields of environmental and mining law have complicated rather than simplified the situation. The establishment of a Conservation Department and the broadening of the mining legislation so that territorial bodies can have an input into mineral licences has made the planning process more difficult to understand.

To understand this complicated legal process the rest of this chapter will be used to discuss how the three fields of planning legislation (environmental, mining, and land use) have evolved and how the rural land users are affected by the legislation. The three fields of legislation can not be studied together as they have developed separately. Only in the current Resource Management Law Reform process (RMLR)

have these three areas been brought together. The RMLR process will not be discussed in this chapter as it has not affected the present legislative framework. It will be looked at in the final chapter, when the discussion will focus on future changes to the planning system. The current rural planning system will be studied by breaking it down into three sections. The first will review the mining legislation and how an actor goes about gaining a licence to mine. The second will examine the current land use planning legislation, and the third section will be a discussion on New Zealand's environmental legislation. These three sections will examine how the legislation attempts to control what land use activities can be carried out in the rural sector. To bring the three sections together the chapter will conclude by detailing which actors have been made the major rural decision makers in the formal framework. Before going on with the first section there will be a brief discussion on what the general views towards land use in New Zealand have been over the past century. It is important to have this as a starting point as much of the legislation which will be discussed comes from earlier periods in New Zealand's history. New Zealand's current legislative framework is a combination of both current and longstanding legislation.

Historical Views On Rural Land Use In New Zealand

Land and resource law in New Zealand has traditionally sought to encourage greater agricultural production and the exploitation of mineral resources.

National legislation and local bylaws have had the aim of upholding the rights of land owners to manage the land in their own way. There was a belief that New Zealand's natural resources had to be developed for the Nation's benefit. This has resulted in legislation which could over-ride planning procedures (eg 1928 Public Works Act) if the project was deemed as being in the national interest. The myth that land development rather than land preservation is essential for New Zealand's long term survival has taken a long time to be put to rest. Since the 1930's new legislation has gradually started to reflect a concern for the environment, but it has only been from the late 1970's that the thrust of new legislation has been aimed at resource sustainability. Because of this, the present legislative framework for rural decision making is a mixture of resource development and land management legislation.

Early land use legislation concentrated on land development. The aim of this legislation was to increase the area in agricultural production. Under this policy the occupied farming area rose from 12.89 million hectares in 1891 to 21.25 million hectares in 1981. The increase was due to land development legislation and to a series of land encouragement programmes which were continued up until the early 1980's. The 1975 -1984 National Government introduced one of the more successful of these encouragement programmes. The scheme helped to increase the area in farm land by 3.82 million hectares between 1971 and 1981. The major aim of these programmes was to draw New Zealanders onto the land and to open up what was seen as unproductive native bush. The programmes and the early land use

legislation allowed the land owners a high degree of independence in how they managed the land. This was thought necessary to encourage new farmers to break in the land. Only in the last few decades has Central Government attempted to introduce planning legislation which can control destructive land use activities. Unfortunately Government action has not been evenly spread across the spectrum. Land use activities such as mineral extraction still have planning advantages. The advantages that still remain to certain land users and the constraints which others have to work under will be outlined in the next three sections on the structure of New Zealand's rural planning framework.

New Zealand's Mining Legislation

This first section will look at the four current mineral and resource Acts (Coal Mining Act 1971, Geothermal Act 1953, Mining Act 1979, and the Petroleum Act 1937) and how these Acts give companies a special position under New Zealand planning law. Mineral extraction is not a significant land use in Canterbury (except for quarrying) but will be discussed in some detail as it is a major land use when looking at New Zealand as a whole. As Canterbury has only a limited number of mining operations the major examples which will be used to illustrate the mining application process will come from other provinces. The mineral Acts have allowed mining companies to explore throughout New Zealand, even within National Parks. The Acts also state that mineral extraction is excluded from Local Government

planning controls.

"... nothing in the Town and Country Planning Act 1977 shall apply to the granting and lawful exercise of any mining privilege granted under this Act" (Mining Amendment Act, 1981, 1287).

As a result mining companies in the past have been able to gain licences from the Minister of Energy without a great deal of publicity. The level of public participation allowed in the application process was limited, even from the land owners, as under New Zealand legislation mineral rights are Crown owned (except on traditional Maori lands and land held within a family since last century).

The consequence of these four Acts is that mining companies are able to gain approval to explore, prospect, and mine even in wilderness areas. A prime example of this situation occurred in the Red Hills Wilderness Area (New Zealand Forest Service Land) near Mount Aspiring National Park. Between 1968 and 1973 three mining companies (Cascade Exploration, Kennecott, and Nickel Spoon Mining) were granted prospecting licences (the right to survey for minerals) and the authority to establish tracks through the native bush. The companies were not even required to meet any environmental standards and as a result the exploration caused major environmental disruption to the Jackson, Cascade and Hope Valleys. If any of these companies had found mineable quantities of asbestos (Kennecott) or nickel (Nickel Spoon Mining) the plan was to develop an open cast mine and a port in the Big Bay area. The development would have been in an area that environmental groups wanted included as part of Mt. Aspiring National Park.

The resource Acts and the procedures surrounding them have been tightened up, so that a repetition of the Red Hills situation could not re-occur. The best way to illustrate the new procedural framework for issuing a mining licence would be to take a large scale example and use it to highlight the key points in the process. As there are no new large scale mining ventures in Canterbury the example had to be drawn from outside of the province. The project to be studied is a gold mining venture at Macraes Flat (Waihemo County) in Otago. The procedural process for the Macraes Flat mining application is outlined in Figure 3.2. This discussion of mining will only look at the mining licence stage in the application process, and not the earlier exploration or prospecting stages. These earlier stages have basically the same planning procedure as for a mining licence, so it would not warrant a separate study for them.

The major change which has occurred since the Red Hills mining debate has been the formal stipulation that an Environmental Impact Assessment/Report has to accompany any mining application. These assessments also have to be carried out for exploration and prospecting applications. As is shown in Figure 3.2 the Macraes Flat Environmental Impact Assessment (EIA) had to be completed before the company (BHP Gold) could apply to the Catchment Board for a Water Rights Hearing. To complete the EIA the company had to undertake extensive field surveys of the proposed mine area so that a complete picture of the areas' landscape qualities could be gained.

The environmental assessment is a formal planning procedure which is supervised by the Ministry For The

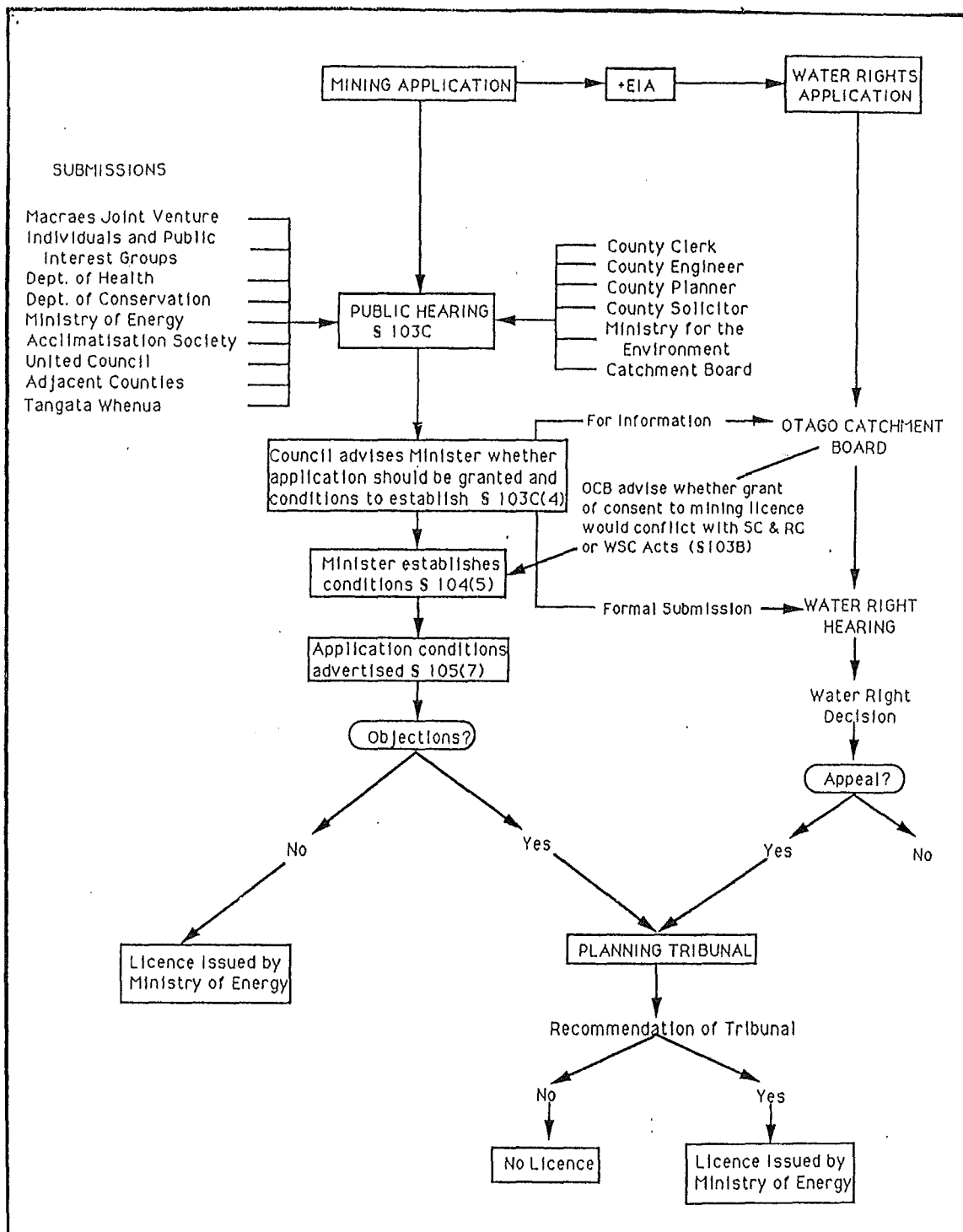


Figure 3.2 Licensing Procedure For The Macraes Flat Gold Mining Project (Otago)

Source: Macraes Project Environmental Impact Assessment, 1988, Section 1-9.

Environment and the Commissioner For The Environment. Before these two Government agencies were formed in 1986 the control of environmental procedures was handled by the Commission For The Environment (established November 1973). The Commission was formed as a response to public concern over environmental issues. The Commission saw that it needed a formal check on land use activities, so it formulated what are now known as the Environmental Protection and Enhancement Procedures (EP and EP), which are used by developers when they are undertaking new projects. All Government agencies are required to follow these procedures and all private organizations which need a Crown licence or official consent to undertake a project. The major aim of the EP and EP procedures is to get an environmental perspective upon new land use activities. The assessments and reports are a key part of this as they highlight any environmental features which need protecting. Up to 1986 the Commission not only issued the conditions for filling in the reports, they also audited the reports. The audit results would go to the Minister concerned (eg Energy for Mining) and their findings would be included as conditions on the official consent. Since 1986 the Ministry has had the advisory role and the Commissioner has acted as an independent auditor.

The second recent change in the system for acquiring a mining licence affects the role of Local Councils. As was explained earlier the normal power that Local Councils have to control land use activities (under the 1977 Town and Country Planning Act) does not apply to mining. A few Councils have attempted to restrain mineral extraction by

zoning bylaws, (eg Paparua County Council has zoned areas suitable for shingle extraction). But most believe they have no legal right to restrict mining activities. Councils have only indirectly been able to constrain resource development through the Local Government Act of 1974. Under this Act a company needs the consent of the Local Council if the mining activity will affect a public road, water pipeline or other Council service. At this point the Local Council can hold a public hearing and all interested participants can attend. The Council's decision can restrict the proposed activity or even make it unviable.

Since the 1981 amendment to the Mining Act Local Council's have also been able to have an input into the conditions for the mining licence. Under Section 103 C of the Act the Local Council can call a public hearing to discuss the project. The hearing's recommendations are then given to the Minister of Energy and usually become part of the licence's conditions. Figure 3.2 shows that in the Macraes Flat case the Waihemo County Council did call a public hearing and invited the rural actors who would be affected by the mine to make submissions. The hearing was held at the mine company's expense and at the end of the proceedings a formal set of recommendations were sent to the Minister. The company was also required to go through a local planning hearing to have certain public roads closed. A number of companies have taken Councils to court to test the legality of their right to call a public hearing under the 1981 amendment. This means that the question of Council influence is at present rather confused. But the clause has meant that all rural participants can for the first time

have an input into the mining application process.

The procedural constraints which have been outlined so far are relatively recent; even the Council powers under the Local Government Act only date back to 1974. Prior to 1974 the only checks on the Ministry of Energy issuing a mining licence were the requirement to consult the local Catchment Board and the right of appeal that objectors had to the Town And Country Planning Appeal Board (later the Planning Tribunal). As is shown in Figure 3.2 a mining applicant has to gain the consent of the Regional Catchment Board to draw off water for the mining operation. Before 1967 this requirement had no formal structure as the Boards simply required miners to satisfy certain Catchment Board criteria. But since the 1967 Water And Soil Conservation Act applicants have had to go through a Water Rights hearing. The Board holds a hearing and submissions are called for from interested parties so as to determine the environmental consequences of the project. In the case of mining the hearing has to decide if the granting of a water right conflicts with the aims of the 1941 and 1967 Acts, which are to maintain the natural water quality and to promote soil conservation. The Board has the right to turn down applications or place conditions upon the water right. In the Macraes Flat case the local Board placed a number of water use restrictions on the company and has made it undertake erosion protection works.

The other check on the Ministry of Energy issuing a mining licence based simply on its own analysis of the project, is the right that objectors have to appeal to the Planning Tribunal. This right of appeal to a court which

specializes in land use disputes has existed since the 1953 Town and Country Planning Act. Prior to 1953 land use appeals went through the civil court system. The Appeal Board was similar to its successor, the Planning Tribunal (established under the 1977 Town And Country Planning Act) in that it had the status of a District Court and the power to amend district schemes and settle disputes between Ministers, Councils, and land users. The Tribunal's recommendation is binding unless the parties have agreed otherwise beforehand. And the Tribunal can only be taken to a higher court on a point of law. The Appeal Board and Tribunal can therefore be seen as the final decision making actor in the planning procedure to gain a mining licence. At the time of writing the Macraes Flat case has not been through this final stage of the mining process but their Dunedin manager believes this stage could take another year to complete on top of the three years of planning which has already gone into the project.

This example and the outline of the procedural checks on mining show that there are various layers of decision making within the mining application process. At the local level there are the Council and Catchment Board and at the higher level there is the Ministry of Energy/Environment and the Planning Tribunal. The example also shows that the planning process can draw in a large number of Departments and organizations directly or indirectly by way of consents and submissions. When compared to the procedural situation twenty years ago there has been an increase in the level of public participation and the number of procedural checks. The increased number of checks on mining is a reflection of

the changing public attitude towards rural land use.

New Zealand's Planning Legislation

This second section will focus on the Acts which control how land use activities are carried out in New Zealand. These land use Acts (see Figure 3.1) are more regulatory in nature than the mineral Acts. The major difference between these two groups of Acts is that the mineral Acts are aimed at mineral development while the land use Acts are concerned with protecting and enhancing the rural landscape. The first of these Acts was the 1941 Soil Conservation and Rivers Control Act. The Act was a response to the environmental damage that had occurred in the 1920's/30's as a result of flooding and bad land management. This Act brought land users into a formal rural planning process as it gave Catchment Boards a statutory right to influence land use activities.

"The principal function of every Catchment Board shall be to minimize and prevent damage within its district by floods and by erosion" (Soil Conservation and Rivers Control Act, 1941, 116)

Local Government control over rural land users was extended further with the 1953 Town and Country Planning Act. The Act brought Councils into the rural planning process as they were required to draw up District Schemes which set out the land use priorities for each area. All the land covered by the schemes had to be assessed for its potential uses.

The 1941 Act did more than re-organize the existing river trust boards into Catchment Boards. The Act also

established a specialized agency to tackle the problem of soil erosion in New Zealand. To implement anti-erosion and anti-flooding programmes the Boards were granted the right to institute bylaws. The scope of the bylaw authority was wide and could affect all rural land users. Under Section 150 of the Act the Boards can regulate burning, the destruction of trees, and new land use activities. For instance the North Canterbury Catchment Board's bylaw No. 1 (1947) sets out that land users must refrain from activities which could cause erosion. Catchment Board planning authority over land use increased further with the 1959 Amendment to the 1941 Act. Sections 34 and 35 gave the Boards the right to stop any project or demand that corrective earth works be carried out to lower the erosional risk. But what must be stressed is that the Boards prefer to negotiate with land users rather than regulate. To this end the Boards have developed a system of voluntary Land Improvement Agreements, now known as Farm Plans or High Country Run Plans. These agreements between a Board and land user set out a programme for rehabilitating the land. Under the plan the Board will subsidize land stabilization work (river/hillslope protection), the planting of shelter belts, the introduction of new grasses.

When consultation has not worked the Boards have been willing (reluctantly) to invoke their regulatory powers. The North Canterbury Board has used this power to compel a number of residential developers to undertake land stabilization land. Catchment Boards gained further authority to influence land use decisions when they were given the right to dispense water rights (under the 1967

Water and Soil Conservation Act). The aim of Water Right hearings was outlined earlier but there does need to be some elaboration on how the control of water rights can affect farmers. Prior to 1967 there were few restrictions upon natural water use, although there were Catchment Board limits on the type of disruption to watercourses. Land users could freely tap groundwater and institute irrigation schemes with few restraints. Now with water rights all new uses of water resources have to be investigated by way of a hearing. The hearing can place restraints on the amount of water drawn off for irrigation or on the effluent discharge levels from new farm ventures. This control over water usage gives the Catchment Board considerable influence.

As outlined earlier in this section the land use Acts also established Local and Regional Councils as major actors in regulating rural land use activities. The 1953 Town and Country Planning Act introduced two key features to the decision making framework. First, the Act directed that District Schemes had to be drawn up and detailed what the priorities of the schemes were to be.

"Every regional planning scheme shall have for its general purpose the conservation and economic development of the region to which it relates by means of the classification of the lands comprised therein for the purposes for which they are best suited by nature" (Town And Country Planning Act, 1953, 984)

The new District Schemes classified the rural areas and for the first time land users (except miners) were controlled in the type and location of rural activities. Most Councils developed standards for new rural buildings and put limits

on minimum farm size. This meant that a Council consent was needed before certain new activities could be undertaken, for example commercial forestry. This was the first time the entire rural sector came under planning control. The earlier Catchment Board policies had only affected certain areas, (eg erosion prone areas). The second rural planning feature was that the Act established the Town and Country Planning Appeal Board. What the Board did was make the land use decisions by Catchment Boards, Councils, and individuals appealable. This drew outside groups into the planning process and made land users more accountable for their actions.

The 1974 Local Government Act strengthened Local Body control of rural land use and established guidelines for land rehabilitation. Councils could refuse project planning approval if there was a likelihood of increased erosion due to the project. Developers had to submit Development Plans if a project would cause soil disturbance, and under Sections 274 - 279 of the Act Councils could place conditions on any project so that erosional problems would have to be remedied. Under this Act industrial and residential developers were required to give reserve contributions (a fixed percentage of the land or its value), so as to preserve any important natural features.

The latest change to the framework came with the 1977 Town and Country Planning Act. The Act stipulated that the purpose of District and Regional Schemes (Section 4) was to manage the district's resources wisely and to promote the economic and social well being of the area. Regional Councils were given the right under the Act to establish

Land Advisory Committees which were to advise the regional planning committee on the appropriate bylaws to govern land use. The Advisory Committee had to consider land use in terms of the possible ecological, productive, and recreational alternatives. Using this committee Local Councils have been able to zone land use more appropriately, and in a number of cases there are now recreational and wilderness zones, (eg McKenzie County Council). In these zones Councils will not permit any land use activity which will be detrimental to the areas scenic attributes. The 1977 Act also directed that district schemes are to have regard for future land use priorities. This introduced the concept that Councils have to include planning bylaws based around the sustainability concept. The Act's establishment of the Planning Tribunal to replace the Appeals Board has increased the level of public participation in the appeal procedure. The Tribunal has also been given a more central role in the overall decision making process. This has been assisted by the fact that there are now three Tribunals (instead of one).

New Zealand's Environmental Legislation

The final legislative area which affects rural decision making and land preservation are the environmental Acts (see Figure 3.1). Although most of the Acts are not part of the rural planning process per se they must be considered as they outline how the publicly owned land is to be administered. The Acts set out which State agencies have control over the land (eg Parks and Reserve Committees,

Department of Conservation) and on what basis decisions are made. The Acts also detail the level of involvement that the environmental agencies are to have in the rural planning process. The early post war Acts (1949 Forests Act, 1952 National Parks act, and the 1953 Wildlife act) dealt mainly with Crown land and were concerned with preserving native species (flora and fauna) and retaining distinctive landscape features. The Acts did not encourage the environmental agencies to have an input into wider land use debates. The majority of private land users were not affected by these Acts. Only those land users on leased Crown land or on private land adjacent to the parks and sanctuaries were affected by the guidelines that the environmental agencies issued. The first environment Act to directly affect private land users was the 1962 Nature Conservation Council Act. The Act was a response to public concern over environmental issues. The Act created an independent conservancy agency (now part of the Conservation Department) which had the authority to investigate all issues of environmental concern. The Council has had some success in the preservation of Native wetlands and the South Island Beech forests, but on the whole it has had limited success as it could only secure areas through negotiation. The Council lacked the financial resources to buy sensitive areas and the planning authority to enforce land use restrictions.

The two 1977 environmental Acts (1977 Reserves Act, Queen Elizabeth the Second National Trust Act) varied from the 1962 Act in that they provided Government funding to acquire private land as reserves and to assist land owners

in putting areas aside into land covenants. The QE II Trust was established with the aim of protecting ecologically sensitive areas through negotiating land purchases and land covenants. The Reserves Act differed from the QE II Trust in that its aim was to gain a representative sample of all native ecosystems and landscape forms. Both Acts used negotiation to acquire land, but the Reserves Act did have the theoretical right to invoke the 1928 Public Works Act so as to acquire land by compulsory order. The Reserves Act in conjunction with the 1980 National Parks Act also introduced formal management plans to New Zealand's Parks and Reserve system. The two Acts stipulated that the management plans were to have environmental protection as their major land use priority but that recreational and community interests were also to be served where practical.

More recently, with the Environment Act of 1986 and the Conservation Act of 1987 the environmental agencies have gained a much greater input into rural decision making. The two major agencies (Department of Conservation, Ministry For The Environment) are now recognized in a legal sense as having the same political status as the more established Government agencies (eg Ministry of Energy). This has occurred as a result of public pressure to have the environmental lobby given an equal voice. The Ministry For The Environment's formal role in affecting rural decision making was outlined earlier, but what was not mentioned was the Ministry's policy formation role. Under the Environment Act the Ministry has been given a responsibility to put forward submissions on how future rural guidelines and legislation should be formulated. In this role the Ministry

may affect rural decision making far more than it could ever by enforcing environmental procedures.

The 1987 Conservation Act brought into existence a unified Conservation Department (drawing in staff from the wildlife sections of other Departments and authorities). The new Department controls in excess of 30% of New Zealand's land area and an estimated 70% of New Zealand's mineral resources. The land holdings cover a range of activities and involve the Department in many land use debates. The Department of Conservation has agreements with other Government agencies so that their officials can intervene when they believe that poor farming practises are being used on Crown land or when they find important environmental values upon Crown land. The Department has the legal right to reject any application for a burning permit where the property (public or private) is close to Conservation Department land. The Department also has a formal role in drawing up conditions for land use activities on Departmental land holdings. This is principally in relation to mineral and recreational developments. Most other activities such as commercial forestry are excluded from Departmental land. Besides these statutory rights over Crown and private land the Department also has an advocacy role, to promote conservation within New Zealand. This means that the Department is required to participate in most Local Body planning hearings and Tribunal hearings, usually in the form of a written submission. To protect environmental values on private land (where they have few legal rights) the Department has initiated the Protected Natural Areas Programme where important ecological areas are

identified and attempts are made to secure them through negotiation.

The Major Rural Actors In New Zealand's Formal Planning Process

The legislation which has been outlined in these last three sections has established certain Government agencies as major actors in the New Zealand decision making framework. The legislation has also given certain land user groups special planning privileges. New Zealand legislation still has mineral extraction as the priority over land preservation and other rural activities. The Planning Tribunal and High Court have re-iterated that as the law stands the aim is to encourage mineral discovery. The legislative limits upon mineral extraction relate principally to safeguarding water quality and the environmental attributes of an area. Large mineral extraction companies with the financial resources to fight the planning procedures have been able to open up reserve areas. In the Monowai Mine case a mining company took the Department of Conservation to the High Court (1988) and the Ministers' Veto of the project was overturned. But smaller mining operations without the resources to fight the planning procedures have been restricted in their operations.

The Ministry of Energy can no longer issue a licence without environmental conditions. Under the current legislation land owners, Local Bodies, and the affected Government Departments are having a greater say in the

conditions that are attached to a licence. The five significant Governmental actors which can affect mining projects are the Catchment Boards, Councils, Ministry of Energy, Ministry For The Environment, and the Department of Conservation. Each has formal rights which allow them to place conditions on mining developments. Environmental lobby groups have also gained a significant role since being allowed to make submissions to Council and Water Right hearings. As a consequence of these factors mining has become a more controlled activity.

The environmental and land use Acts have established a number of controls over rural land use activities but the degree of control and the mechanisms for influencing the rural actors vary with the form of land tenure. Land users on private land have fewer constraints on their activities than on Crown lease land. This results from the fact that legislators and most of the public still believe that property ownership entitles the occupier to manage the land in the way they wish. On Crown property however, (eg that controlled by Landcorp, Timberlands, or the Conservation Department) planning controls over land use can be quite stringent. Crown leaseholders have to develop yearly plans and for any activity which disturbs the soil cover they are required to gain formal approval from the controlling authority as well as the Department of Conservation. The Department of Conservation is a key actor on Crown lands through the set of agreements that the Department has with other Government agencies. Areas of environmental value on Crown land can be secured by the Department. The Councils and Catchment Boards are also able to implement their

planning regulations more successfully on Crown land. And the environmental groups, such as the Maruia Society have been able to use the Town Planning procedures to block the exploitation of native timber resources on Crown land. On private land the planning procedures for controlling tree felling have been contested and found as unlawful, but on Crown land the user groups are not in a strong legal position.

On private property the legal situation is that the legislation favours farming and the maintenance of economic farm units. The legislation has discouraged residential development and commercial forestry on good land. Through the zoning laws Local Councils can control the location and design of industrial and residential developments. And the Catchment Boards can prevent developments which may affect the quality of water discharge or which may cause erosion problems. The Councils and Catchment Boards are therefore the key actors over industrial and residential developments as they can zone them out of sensitive ecological zones and away from unstable areas.

The majority of Councils in Canterbury (except Ellesmere, Wairewa) have limited commercial forestry through zoning forestry as a conditional land use in most rural zones, so as to protect the farming economy. Commercial forestry has been restricted in the District Schemes by Councils stipulating that consents are needed for timber planting over a certain level (eg Akaroa, over five hectares), or by setting a limit as to how much of a property can be under forestry (eg Waimairi, 15% of the area in Rural zones H and G). The Councils have limited forestry

to poorer areas and placed strict conditions upon forestry management. The Councils are therefore the key actors under the legislation for controlling forestry. But some of their actions have been challenged by organizations such as the NZ Forest Owners Association. The Association has taken a number of Canterbury Councils to the Planning Tribunal when their District Scheme restrictions on forestry were seen as too extreme.

The final area, and that which makes up most of the rural sector is private farming land. Councils and Catchment Boards under the current legislation can only regulate the farming practises of those properties which are suffering from extreme erosion problems. Generally rural zoning by Councils and Catchment Boards is aimed at regulating activities which affect an entire area, such as erosion control. They set predominant farming uses for an area but these usually reflect the current nature of farming in the region. The only real restrictions are on subdividing land below a certain size and the Catchment Board's power to limit developments needing water rights. In most cases the farmer can undertake developments without consent if they meet the Council/Catchment Board land management guidelines. For instance farmers can still clear native forest off their property without consent as long as they meet Catchment Board land restoration guidelines. Some Councils have attempted to increase the direct controls over these activities but they have usually failed. The Hurunui County in 1986 attempted to change their District Scheme to protect native vegetation from clearance, but the threat of a Planning Appeal meant the Council watered down the clause.

Thus at present the protection of environmental land values can only be protected by negotiation under the QE II Covenant system and the Department of Conservation's Protected Natural Areas Programme. To conclude, the present legislative structure has imposed a planning framework on all land use activities but the degree of control varies markedly between the land use activity and the form of land tenure.

CHAPTER FOUR

RURAL MANAGERS AND THE DECISION MAKING PROCESS

To explain rural decision making simply in terms of the New Zealand legislative framework would be convenient but it would not give a true reflection as to what actually occurs in the decision making process. Legislation alone can not dictate the outcome of decisions. Most of the decisions which shape the rural landscape do not reach the formal planning stage, as there is a trade off at the local level between the conflicting parties. Local institutional managers are usually able to produce a settlement without having to bring the issue before a hearing or tribunal. This is fortunate as many rural actors can not afford protracted planning procedures.

Explaining rural decision making simply from a legislative perspective would also fail to recognize the role of non-governmental rural actors. These actors gain their influence not from legislation but from the services that they provide to the rural sector. These services range from advice on new crops to financial planning. Rural land users are unlikely to undertake a new project without consulting at least one of these non-governmental actors. In most cases the role of these actors is limited to giving out advice but in certain situations it can be much more. Rural lenders for example (banks, stock and station agencies) have been known to take control of a farm when they consider that their loans are at risk. Because of the significant role that these non-governmental actors can play within the decision making process part of this chapter will be used to

investigate the role of private institutions.

The Informal Nature Of New Zealand's Rural Decision Making Process

The informal nature of New Zealand's rural decision making process was brought out by Question 17 in the Farming Questionnaire. This question asked farmers if they had ever been required to formally apply for a planning consent or if they had been involved in a planning hearing. 78.5% (84) of the farmers who responded to this question said that they had never had to apply for official permission to undertake new land use activities. And out of the 107 farmers interviewed only one had ever been directly involved in a Planning Tribunal hearing. Most land use issues never reach the legislative framework as they are settled at the local level through negotiation. Land users prefer to work out a negotiated settlement with the authorities concerned beforehand rather than having to face a formal hearing. This point was highlighted in the farming questionnaire, as most farmers said that they consulted at least one Government agency before new farm developments were undertaken. For example 42% (45) of those interviewed had consulted the local Catchment Board voluntarily to get advice or supervision for farm developments. In many of these cases this had resulted in voluntary farm management plans being drawn up. This shows that the legislation is more a back up system for when the informal decision making process can not settle an issue.

The study has shown that a land use case is more

likely to progress to the formal decision making process if the Government agency involved has a limited network of local offices. Centralized Departments find it difficult to build up local contacts and to gain the land managers' trust. The ability to influence land managers rests not simply upon having a large number of local staff but also on their expertise in negotiating and gaining local confidence. With New Zealand being a small country the position of individual managers has taken on a heightened role. As most Departments are reasonably small there has been a need to devolve authority to individual managers in the local areas. This means the land user is not fighting a faceless bureaucracy. And that many of the land use decisions can be worked out by institutional managers and the land users by face to face contact rather than having to progress to the formal legislative framework. In nearly every case a suitable compromise can be arranged, even when the actors are supposed to represent diametrically opposed rural views.

Most rural managers do not work to the letter of the law, as this would make their actions inflexible and cause a confrontational decision making process. The managers are able to be flexible as they have a degree of freedom in their actions. Managers have this independence because most Departments and Local Bodies have issued decision making guidelines which not only incorporate legislative aims but also economic and social factors. A prime example of this would be the Conservation Department guidelines (issued April 1989). The guidelines have the aim of promoting land and species conservation but not at the cost of New Zealand's economic and social development. As a result of

these guidelines managers can take a flexible negotiating approach.

Rural actors who are prepared to compromise on land use issues are more likely to achieve their goals than are the actors who refuse to see another point of view. This has been the case even for environmental groups. The Royal Forest and Bird Protection Society is less flexible in negotiations with land users than the Maruia Society, and as a consequence the former has aroused hostility from many land users and achieved fewer successes than the Maruia Society. The Maruia Society which has campaigned particularly for native forest protection is willing to meet foresters halfway. In the Nelson Beech forest debates they have reached negotiated settlements with a number of logging companies. The settlement is usually for the logging programme to be based on a sustained yield concept. In contrast the Royal Forest and Bird Protection Society wants to retain natural ecosystems as intact as possible. Those individuals and institutions who are not flexible are unlikely to achieve their desired land use objectives, even when the legislation supports them, as they would have to fight through the decision making process. Those actors who are willing to negotiate are more likely to achieve most of their aims, and create good will for future contacts. Such has been the case with the Queen Elizabeth II National Trust. In a number of cases the Trust has negotiated covenants which still allow limited grazing. This flexible attitude towards covenants has built up farmer confidence and land users now approach the Trust managers voluntarily.

As was mentioned earlier the calibre of managers and

the amount of direct contact with land users are key factors in explaining why certain actors achieve more or less than their stated legislative positions. Departments and organizations with local representatives are seen as more active upon the ground. If there is regular consultation with land owners these actors gain a degree of trust and influence. An example of this would be the role of seed companies. A number of companies operate in the Canterbury region, for example Pyne Gould Guinness, Hodder & Tolley, and McFarlane Grain & Seed. They establish trial blocks on farms and have open days for the local farmers. These seed company managers have no legal role in decision making but they are asked for advice and they are a major actor when land users are wanting to introduce new crops. Because of this personal element within decision making non-legislative actors are given a major role, while actors which are supposed to be central to rural decision making in legislative terms have a diminished role because of a lack of local contact. A case in point would be the Ministry For The Environment. This Ministry has just over 100 staff who are centralized in Wellington. A staff of about 10 personnel are supposed to cover all of the South Island. The local managers are simply unable to cover this area and build up the network of contacts that are needed to fulfill the Ministry's legislative functions.

The individual managers play a very important role, as they are the ones who undertake the negotiations. Strong, motivated managers working in a well organized team can achieve a role for their institution in rural decision making beyond its legislative position. Two examples from

Canterbury bring out this point. In the Twizel area the Department of Conservation has a strongly motivated team under Martin Heine, the District Conservator. His staff have ongoing contacts with the High Country land managers. They work with the land managers to overcome disputes and to formulate policies on critical land use issues. His team are seen by the land users as working for them as well as promoting conservation policies. In this case the land managers have been more willing to work with the Department and as a result large areas of environmentally sensitive high country have been preserved. The opposite situation can be seen around Culverden in terms of the North Canterbury Catchment Board's organization. The Catchment Board withdrew the local soil conservator from Culverden and now administers the area through the Amuri County Council and from their Christchurch Office. The Board no longer has direct contact with local land users. The land users are not kept in touch with Catchment Board programmes and they get different officials whenever a local issue arises. Because there is a weak personnel structure at the local level the land users around Culverden have become uncertain about following Catchment Board views. These two examples highlight the importance of institutional managers and that these managers do have a degree of independence. The way that they use their independence can affect the position of the organization in the rural decision making framework.

These examples show the impact that individual managers can make on rural decision making but what they do not explain is that all managers do not share the same level of freedom in making decisions. Local managers (those on the

ground) tend to have a higher degree of independent action than regional and central managers in Government Departments and private organizations. The local managers are more aware of the problems that face the land users and they attempt to be accommodating where they can be. In one to one negotiations with the land user the local manager is usually better able to judge the implications of a new land use activity than are the regional and central managers. The local managers are also the ones who make the first report and recommendations on a scheme, and as such they establish the grounds upon which later decisions are made, while the regional and central managers can only amend the reports.

Local managers in the rural sector also have the advantage that they operate in small units, which means that managers may have decision making authority over a range of land use issues, whereas in central offices these issues tend to be divided into a number of sections, and each has its own manager. With small staff numbers the decision making process can be speeded up as the proposal does not have to go through numerous levels of officials. The local decision making manager is also someone who can be readily contacted by the local community. This makes the manager more accountable to the local community. The local managers are less constrained than their counterparts at the regional and central level in how they interpret the legislation but their actual ability to decide on allocation and consent matters is dependent upon how much authority is devolved down from higher levels. No group in the rural decision making process has total authority to make decisions. In some cases the local managers have considerable authority

devolved to them, such as the County clerks and planning officers in the Local Councils. But in other cases, such as the Ministry of Agriculture and Fisheries the local managers decision making authority is limited to giving out advice.

Higher level managers often have more authority to allocate resources or approve planning consents but they are less independent in how they decide upon issues. Regional and central managers are isolated from the rural sector which means they generally lack the hands on experience in dealing with rural issues. This restricts their decision making scope to following established guidelines or supporting the reports of the local managers. The local report on a land use issue lays out alternative decision options based on field research. Higher level managers do not have the local knowledge to say these findings are wrong so decisions are usually based upon the local recommendations. The regional and central managers are also limited in that they have to follow national policies which have set standards for analyzing decisions. Central and regional managers must allocate resources fairly, while the local manager in control of a small area can more freely push for special treatment. They are not faced with the need to see a national perspective nor are they so highly supervised to see that a national view is taken.

Higher level managers are more restrained than local managers by legislation and Departmental guidelines. They are closely scrutinized to see if they are going beyond their statutory limits and they have to justify why certain courses of action are taken. At these higher levels the power to implement a decision is usually spread between

several managers which means that to reach a decision the individual managers have to make compromises. For instance when the Department of Conservation (Wellington) makes a land acquisition there has to be agreement between the finance, planning, and wildlife sections. In the localities these roles come under one manager. Regional and central institutional managers therefore have less freedom in making their decisions than do local officials.

How Independent Are Land Users In Their Actions

The chapter up to this point has concentrated on seeing how independent the institutional managers are in making decisions which affect the land users. But it is also important to see how independent the actual land users are in making decisions. The land users would be expected to have a high degree of freedom in their land use actions as they are the group who actually work the land. But is this always the case? Mining, industrial, and residential developers are policed by inspectors. In the case of mineral extraction the mining licence now sets out the conditions for land use and the ways in which the land has to be rehabilitated. Mining inspectors undertake regular inspections of the mine workings to check that the tailings have been correctly disposed of and that the licence guidelines on the rehabilitation of worked areas are being adhered to. The inspectors also check if the five hectare limit on the area that can be worked at any one time is being violated (5 hectares unless extension approved by inspector) and if the operation is exceeding water usage and

discharge levels. If the miner does not meet the environmental, water quality, and restoration standards that are laid out in the licence and in the yearly mining programme (a programme approved by the Ministry of Energy) the inspector will close the operation instantly. Miners are therefore regulated, in that they must follow the licence guidelines on land restoration and they have to follow the yearly plan as to where they are to mine and how the tailings are to be stored and disposed of.

Rural industrial and residential developers (this does not include farmers or foresters) are also restrained in the way that they undertake projects. New Zealand has a well developed building code and each Council has implemented guidelines on building design and land restoration. Council Planning Inspectors can order projects to be stopped if the development is not meeting Council guidelines or contravenes health and safety standards. These land users do not have the freedom to locate wherever they like and their activities are supervised throughout by Council Planning Inspectors and Catchment Board officials. The design plans for a residential subdivision or for an industrial area have to be approved by the Council. The Council will judge the project upon building size and if it fits in architecturally with the surrounding landscape. In terms of residential projects the Council has to consider roading patterns and the services that will have to be provided. The Catchment Boards can hinder the developers' freedom to locate where they like as they do not want increased erosional problems and decreased water quality. The developers must also place financial bonds with the

Councils as a guarantee of carrying out land restoration works and they are required to leave some of the land for public reserves.

Industrial and residential developers are therefore tied to the Local Council and Catchment Board regulations. Local Councils and Catchment Boards are able to require developers to preserve environmentally sensitive areas. They are also able to prevent any development which threatens the soil stability of an area. Residential projects on Banks Peninsula and the Port Hills have been stopped by the Catchment Board when they have been on unstable land and where there is a chance of erosion. The greatest power that Councils have to preserve land is their zoning authority, this limits developers to certain areas within the province.

In terms of farming and forestry land users it can be said that they retain a high degree of independence over their land use actions, even for activities such as erecting buildings upon their land. Planning controls on rural buildings except residences (eg barns, vehicle storage areas) are usually limited to structural design issues. These two groups are more restrained on leased public land than on private property. On leased Crown land yearly farm and forestry plans have to be drafted and presented to the controlling authorities, such as Landcorp. The level of independence that farmers and foresters have on leased land is limited to activities which do not disturb the topsoil. In cases where the topsoil is disturbed official approval is needed, (eg for burning). Their independence is limited to stock management in the case of farming and timber management in the forestry situation. Both groups can

initiate new land use activities but consultation must be carried out with the Departmental managers.

Forestry land users on private land have freedom in the way that the forest resource is managed but when the trees are felled they must meet the Council and Catchment Board land rehabilitation criteria. Small scale woodlot and shelter belt harvesting is hardly affected by these restrictions but for larger scale plantations to be felled the Council has to give formal approval, which involves setting out how the land is to be rehabilitated and what the future land use will be. Thus the forestry land owners are free to manage the trees as they like but are restrained when they fell the trees.

Finally, the farmers on private land can be considered as having the greatest freedom in their land use actions. Unless the proposed land use is likely to cause widespread erosion or flooding the farmer can undertake almost any land use activity. The present Council and Catchment Board zoning schemes do attempt to restrict the range of land use activities to those which are considered most appropriate for the area but most Councils are flexible in allowing alternative practises, (eg Truffle farming was allowed in Amuri County). The predominant and conditional farming uses which are outlined in each District Scheme are considered by most County Clerks only as a guideline to what activities should be fostered. The formal rights of Councils are limited to preventing subdivision of farms into uneconomic units and the control of farm building permits. The only substantial Catchment Board constraint affects those farmers who use large quantities of water, as they

will require Catchment Board permission to tap groundwater or to divert a stream. New fencing, tracks, and stock management practises are entered into without any need for consents. Farmers have the freedom to decide how any part of their land is to be managed unless it causes problems for neighbouring properties. It is up to the farmers if environmentally sensitive areas of the property are to be preserved or if soil preservation measures are to be introduced. Only in extreme cases can Government institutions such as the Catchment Boards intervene on private farm land.

The Influence Of Financial Institutions On Rural Decision Making

Although farmers do not have many legal restraints imposed on their land use activities they can be influenced in their land use actions as a result of financial pressure or by advice from private consultancy firms. Question 14 of the Farming survey (see Appendix One) asked if any financial institutions (rural lending agencies, Stock and Station Agencies) had attempted to influence their land use activities. The results showed 80.4% were not affected by financial institutions, but that 19.6% had been compelled in some way to take actions they would not normally undertake. The majority of this 19.6% had been forced to mill shelter belts to lower debt or had been compelled to maintain unsustainable stock ratios so as to gain sufficient revenue to pay back loans. These actions which farmers are forced to take have had a detrimental affect upon the Canterbury

landscape. By overstocking and milling shelterbelts the land is quickly run down. There will be a lower permanent cover and erosion is more likely to occur. Financial pressures will also lower the priority that farmers have for preserving sensitive areas. Sensitive pasture areas will be grazed and areas of native bush will be cleared.

This view of financial intrusion into farming practices was backed up by Question One in the Financial survey of rural lenders (see Appendix One). The question asked if these institutions have used their loans as a way of influencing the type and level of production that is undertaken on farms. Half of the respondents said no but the other half said that they would encourage clients to achieve maximum returns, or would bring in farm advisers to direct what type of farming practises should be followed.

Rural lenders have always been concerned about how marginal farmers can repay their loans. Stock and Station agencies throughout New Zealand's history have taken control of farms when loans have fallen behind. Stock and Station agencies have been more willing than the banks to direct land use, mainly because they have the experience in rural matters unlike banks. Banks and insurance companies were not major rural lenders until the 1970's so they have not had the tradition of rural involvement. The Stock and Station agencies still remain a major seasonal and short term lender to the rural sector. And they have been willing to exercise the authority this gives them.

"It is evident that some farmers have permitted themselves to be controlled by the lending agency (the Stock firm)" (Pomeroy, 1986, 133).

Pomeroy's study (1986) of farming in New Zealand highlighted that Stock firms are willing to demand that certain farm practises be carried out. Within her sample of farms she found that 3.4% of them were directly controlled by Stock firms, while up to 10% were in some way directed by the firms. From her analysis and the present Canterbury study it is possible to estimate that between 10 and 20% of farmers are not free to exercise their own views as to which farming activities should be carried out.

The Revised Decision Making Model

Having considered both the formal and informal sides to rural decision making it is time to bring these two areas together into a revised decision making model (Figure 4.1). The model is only a generalization of the New Zealand situation and can not be considered as showing all the actors and all the linkages between the actors. The model has retained much of the original format except that a fourth level has been added to show that the Planning Tribunal is the final arbiter in rural decision making matters. The Planning Tribunal is being considered as the final arbiter as its decisions can only be appealed to the High Court on a point of law, and not the actual planning decision. What the revised model highlights is that only in a few cases are the formal legislative links the major criteria for making rural decisions. This results from the fact that New Zealand is characterized by a high degree of managerial freedom and that the legislative framework is seen only as a back up for when negotiation breaks down.

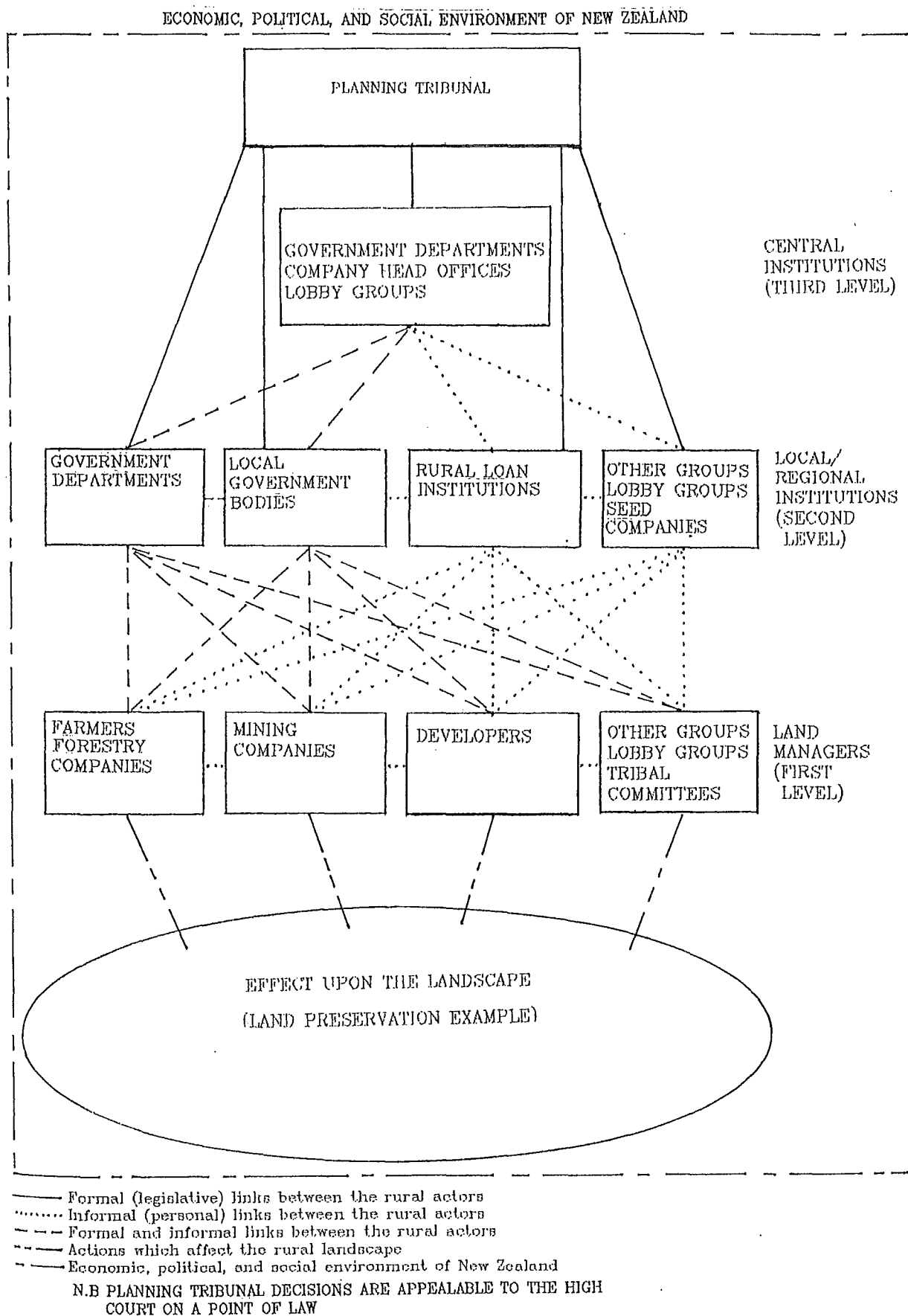


Figure 4.1 A Generalized Model Of Rural Decision Making In New Zealand

For this reason the only formal links that are shown are those applying to contacts with the Planning Tribunal (fourth level), as this court must make decisions based on legal precedence rather than individual preference. Except for this fourth level all the links between the rural actors can be seen as being based upon informal trade offs or a mixture of the legislative and informal links.

Looking simply at the first three levels (Figure 4.2) it can be said that many of the rural actors do not have a legal basis and that their influence over decisions comes from financial muscle (rural lenders), rural farm experience (seed companies), or political/social pressure (lobby groups). Those actors with legislative power (besides the

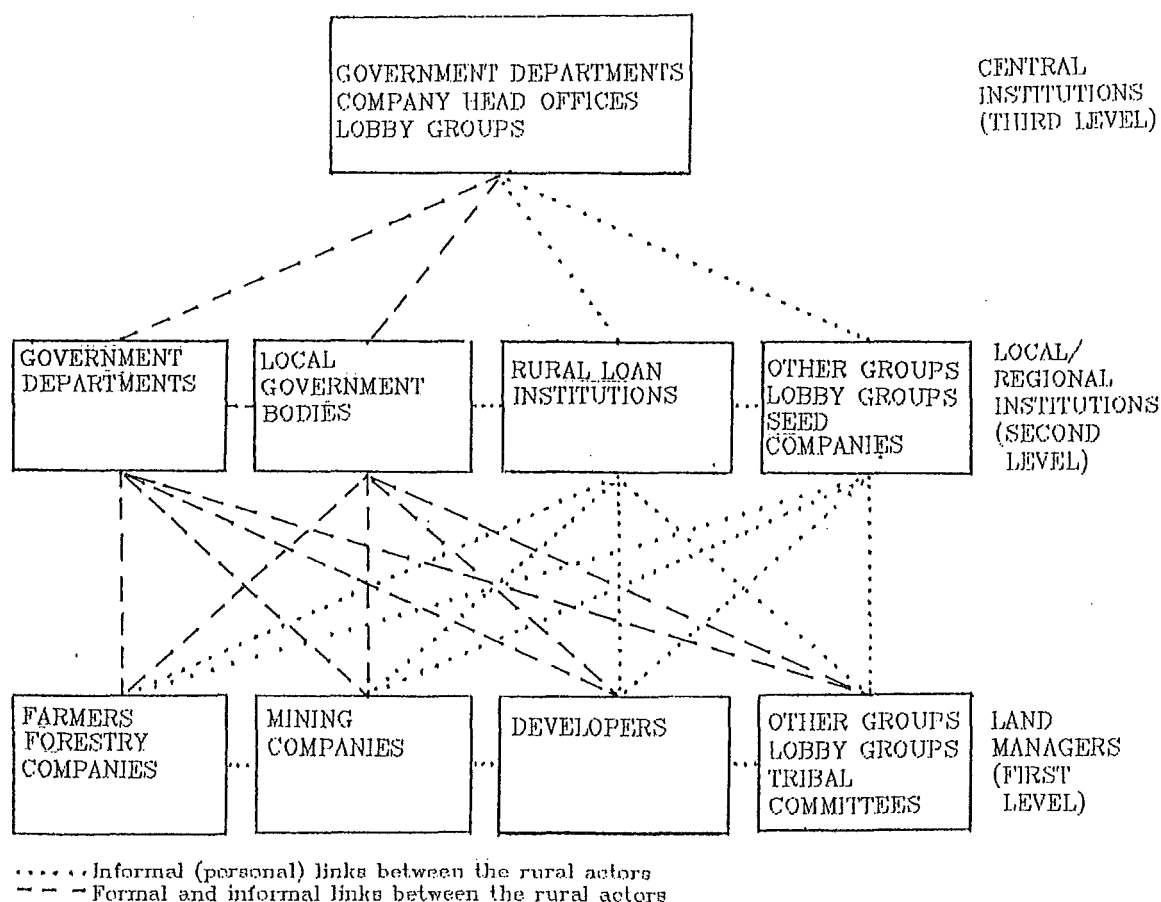


Figure 4.2 The Three Levels Of Rural Decision Making Which Combine Legislative Procedures And Informal Contacts

Planning Tribunal) are portrayed in the model more as mediators rather than regulators as they prefer to negotiate a settlement. The New Zealand decision making process is a flexible framework which only becomes confrontational when negotiation has failed and the decision is sent to the Planning Tribunal to be settled. In the majority of cases decisions are worked out by voluntary trade-offs. The role of the local manager in these discussions is paramount. Well motivated local managers can usually find a compromise for virtually any land use issue.

The revised model also demonstrates that the land managers are not directed in their every action by formal legislative guidelines. The model shows that the New Zealand decision making process is comprised of mainly informal and non-legislative linkages. This allows the land managers to have a high degree of freedom in their actions and also gives the higher level managers considerable independence in how they make land use decisions.

Conclusion

The institutional actors which have had the most influence in shaping land use decisions can now be identified. The institution with the greatest authority over land use issues is the Planning Tribunal as most rural actions are appealable to this court. The other institutions which affect land users tend to be those which have a large number of managers in the rural areas. In terms of Departments these include the Department of Conservation and the Ministry of Energy. The Conservation Department is also a

major rural actor by virtue of its land holdings which equate to nearly 30% of New Zealand's land area. At the Local Government level both the Catchment Boards and Local Councils are key actors. In terms of non-Governmental actors the major group are the rural lending institutions. The most influential environmental groups are the Acclimatization Societies, Maruia Society, and the Queen Elizabeth II National Trust as they attempt to gain resolutions to land disputes primarily through negotiation, while confrontation is a last resort. From this outline it is possible to conclude that the present structure of New Zealand decision making allows a wide range of participants from all corners of the rural spectrum.

CHAPTER FIVE

THE ROLE OF GOVERNMENT ACTORS IN RURAL DECISION MAKING

Now that the decision making framework has been outlined it is important to backup the findings by presenting practical examples. Without examples the points raised in Chapter Four would be nothing more than a collection of assumptions. For this reason these later chapters will be used to present a number of private and State institutional case studies. The studies will investigate what role institutions play in the rural decision making framework and what influence they have over land users.

In this present chapter the discussion will focus on State institutional actors. The examples to be looked at range from Government Departments to semi-independent Quangos. The aim behind these examples is to show how Government actors are able to use the decision making framework to communicate their policies to the land managers. To simplify the situation only the land preservation / land management policies of these actors will be discussed.

The chapter has been divided into three sections. The first section will look at three Government Departments and will investigate how effective they are in influencing the decisions that land managers make. The three Government Departments to be studied are the Conservation Department, Ministry For The Environment, and the Ministry of Agriculture and Fisheries. These three Departments were selected as they all have a major role in rural land use.

The second section will look at a semi-autonomous Government Quango. The Quango selected was the Pest Destruction Council. The Pest Destruction Council was chosen as it has had a major influence on rural land use activities. The final section will look at Local Councils in Canterbury. This third section was included so as to give a contrast between Government agencies which operate at the local level and national level. By having this contrast it will be possible to see what type of political structures land users prefer to work through.

The Ministry Of Agriculture And Fisheries (MAF)

The first of the three Departments to be looked at is the Ministry of Agriculture and Fisheries. Essentially the Ministry is considered to be a market driven organization. All the consultancy functions of the Ministry have been moved to user pay so that they are partially self funding. The Ministry was restructured in 1987 into four divisions, of which MAFTech and MAFQual directly affect the rural sector. MAFTech undertakes the consultancy services (eg soil fertility testing, property management) while MAFQual undertakes services to safeguard the quality of agricultural products (eg eradication of foreign pests). The development of new services since the restructuring, such as MAFDeer (1987) has been a direct response to the changing demands of the rural sector. As the Ministry now has to live off of its own revenue the local managers have had to become more receptive to farmer feedback on services, whereas in the period prior to user pay the only services offered were

those the Ministry considered would be needed by the rural sector.

The Ministry at present has no formal land preservation or land management policy as it wants to be seen by its clients (farmers) as an unbiased rural actor. Yet in questioning the managers further there is an informal Ministry view that the land should be used in a sustainable manner and that their land management and land preservation services such as soil testing, and grasslands research should be promoted. The Ministry has a number of internal programmes which are designed to make their managers and clients more aware that agricultural land is a finite resource. At both the local and central levels of the Ministry the managers believe that they should encourage their farming clients to introduce farm practices which are appropriate for the conditions. They consider that land preservation practices should be introduced (eg preservation of the soil) as this is the only way that the land will remain productive and not be subject to long term productivity decline. The local managers are therefore encouraged to promote not only their own land management services but also those of other Departments (eg Department Of Conservation, DSIR).

The Ministry has a two tier administrative structure. It has a central policy section in Wellington and a nation wide network of local offices. The central managers formulate broad policies on issues like dairy marketing, on the transfer of technology, and on new farming practices. These central managers are removed from the rural sector and they see issues from a national perspective. They see their

farming clients as agricultural sectors (deer, dairy, beef etc) rather than as individuals. Below this central office is a network of regional centres (eg Lincoln). Within these centres there is a mixture of farm consultants and science personnel (350 in total). These local managers develop individual packages for farmers based on their needs and ability to finance the changes. They do not attempt to impose the Ministry's national policies onto the land users. From their hands on experience in solving farming problems they are well aware that they must take a flexible attitude during negotiations. To have national policies accepted at the local level managers have to adapt the policies and products to the local conditions.

Although the Ministry has no formal power to direct the land use activities of farmers the local managers in Canterbury have been successful in persuading farmers to follow certain courses of action. This has come about because the Ministry is tailoring services to reflect rural demands and because the Ministry has an ongoing presence at the local level. Most Canterbury farmers that were interviewed said they trust the Ministry's advice on land use issues because of their local experience and regular contacts. For this reason the Ministry has been able to advance the land preservation concept of working the land as a sustainable resource. Many Canterbury farmers said that their present pasture grasses or crops were introduced as a result of the Ministry's encouragement to test the soil for which grasses and crops best suited the area. Because there is this trust between land users and the Ministry the local managers have been able to persuade a large number of

farmers that land preservation is an economic alternative and not simply an environmental one.

The Department Of Conservation

Whereas the promotion of land preservation is considered as one of a number of roles for the Ministry of Agriculture and Fisheries it is considered as the prime function of the Department of Conservation. This emphasis on preservation results from conservation being a key factor in the Departments empowering legislation (Section 6 (a)-(b)).

"(a) To manage for conservation purposes all land, and all natural and historic resources ...

(b) To advocate the conservation of natural and historic resources" (Conservation Act, 1987, 264).

Because of the range of land holdings and interests that the Department has its conservation / preservation concept has had to have a number of meanings. In Reserves and National Parks land preservation is considered in the narrow sense of protecting the natural resources, and on leased Departmental land and on private holdings the Department's attitude veers more towards the wider concept of managing the land and species in a way that does not destroy pasture quality or any of the environmental values.

Prior to the Conservation Department being established wildlife issues were handled by a number of Departments (eg Internal Affairs, Lands And Survey) and by specialized Quangos (eg Nature Conservation Council). When the Conservation Department was formed the functions and personnel from these other Departments were brought under

one authority. The new Department has a decentralized decision making structure as a number of semi-autonomous Quangos still remain within the organization. The Department has also inherited a number of district offices which historically have been given a high level of independent authority. The only issues which have to go to the central office are development and mining consents.

Unlike the Ministry of Agriculture and Fisheries the Conservation Department has a number of formal controls over land use. The Department has management control over New Zealand's National Parks and over the leased high country runs (these areas are equivalent to 30% of New Zealand's total land area). The Departmental policy in the Reserve areas is to preserve those parts which are still in their natural state and to restore the areas damaged by human activity. In these areas the Department has complete control and is directed by law to act as a steward of the land and to preserve the native flora and fauna. The Department and the Quangos appreciate that all their land holdings are not environmentally sensitive. For this reason the Parks and Reserves Committees have allowed their National Park Management Schemes to include clauses which allow areas to be opened up for recreational purposes. This can include hut and accommodation construction. The South Canterbury Parks and Reserves Committee Management Plan for Mount Cook allows for some building and service expansion in the Recreation Zone. The same situation has occurred with the North Canterbury Committee in their development of Arthurs Pass National Park. The two Canterbury Committees have land preservation as a central theme but also believe

that recreation should not be hindered.

Parts of the Reserve land controlled by the Department are not of high environmental quality and for this reason certain areas have been rented out under lease agreements or under temporary grazing licences. When the local Departmental managers or the Parks and Reserves Committee issue a licence or lease agreement the farmer becomes bound to submit a yearly plan to the Conservation Department. The leasee must get official permission before undertaking any development which may disturb the soil cover. In the Canterbury situation the Committees and the Department have fenced off any areas on leased properties where there are sensitive environmental values. The Department has also compelled the farmers to work with agencies such as the Catchment Boards to correct any problems they see developing upon the leased land. Thus in these areas land preservation in its widest sense is being pursued, as the Department is preserving the land as a sustainable resource and protecting the native species upon the land.

The Conservation Department also has a formal say in how the land controlled by other Departments is to be administered. Departmental managers have this right as there are formal agreements between the Department of Conservation and other land owning Departments. The Department has to be consulted on new land use projects and they have a say in how the yearly farm plans are to be drawn up. This is so the Department can protect rare ecosystems and lessen the environmental damage caused by new projects. This is a formal right the Department has and their

recommendations have to be included in the Plans, but usually the local Department manager works through the plan with the farmer concerned so they can reach a satisfactory informal agreement. The success of these Departmental managers in bringing in land preservation practises has been quite marked in the High Country, particularly in terms of introducing farm practices which slow the soil and vegetation loss from the higher slopes. This shows that the interaction which land users have with the Conservation Department is based principally on consultation but backed up by legislation if necessary.

The area where the Department of Conservation has little formal authority is over private property. In this case the Departmental managers have had to negotiate with the individual farmers to have sensitive areas set aside. The Department has an established programme to systematically survey New Zealand and locate areas of value (Protected Natural Areas Programme). The programme was begun in 1983 under the Wildlife Service, Lands And Service, and the DSIR. In the programmes' early years it was badly handled and aroused farmer hostility as they saw the project as locating areas of interest and then removing them from the land owners' control. The programme has become more formalized since the Department was established and now the land owners who are going to be surveyed are kept fully informed as to what the Department plans to do. The programme has been successful in Canterbury as the local managers of the PNA scheme were careful to keep the land owners informed and not to rush the negotiations. The aim of this programme is usually to have the land placed under a

covenant where the Department pays for pest control and the rates are reduced. Only in exceptional cases will the Department buy the land. This has been a successful programme in Canterbury as it has protected sensitive environmental areas and it has made the land users more aware of the need to undertake land preservation. The reason why it has been a success in Canterbury is the calibre of the staff and the freedom they have had to negotiate agreements.

The Department like any other rural actor can oppose major land use activities through submissions to Council and Planning Hearings. When the Department puts forward a formal submission it lays out the environmental consequences of the project upon the landscape. This is usually in terms of the effects upon native species and upon the stability of the land. The Department has been successful in giving land preservation a unified voice in these hearings and as a consequence many appeal decisions have gone in favour of the Department. The Department has appealed District Scheme clauses if they favour development excessively and they have taken mining and development companies to the Tribunal over excessive environmental damage. These appeals are usually handled by the central office legal staff who have the judicial experience. Most conflicts and threatened Appeal Court actions by the Department do not reach the Tribunal and central office level as the local managers are able to reach a solution with the Council or land user. The local managers are able to achieve settlements with land users and Councils as they have been given a high degree of flexibility in their decision making.

The Ministry For The Environment

From looking at two large Departments with active representatives in the rural areas the discussion now turns to the highly centralized Ministry For The Environment. This Ministry was formed with the 1986 Environment Act and replaced the Commission For The Environment. The Ministry is an organization which represents no single sector group, as it is essentially a neutral body. The Ministry is a mediator between conflicting groups and a monitoring body which sees that New Zealand's environmental resources are used in a sustainable manner. Because of the need to take a neutral role on issues the Ministry lost its statutory environmental auditing function. The auditing role became a function of the Commissioner For The Environment. This means the Ministry can only make recommendations on Environmental reports and has no statutory influence over the final report which the Commissioner For The Environment presents to Parliament. As a result of the 1986 Act the Ministry has a broad land management policy which encompasses protecting natural ecosystems and developing the land in a sustainable and wise manner.

The Ministry's major land use functions centre around advising other Government agencies and the private sector on what their environmental responsibilities are and on how Environmental Impact Assessments and Reports should be formulated. The major aim of this work is to promote environmental awareness among sector groups and to make the decision making process more available to affected parties. The Ministry is also involved in drafting a new resource

management law which will bring together all the Acts outlined in Chapter Three into one piece of legislation. The implications of the resource reform process will be considered in the concluding Chapter, which looks at future directions for New Zealand rural decision making. In this present chapter only the Ministry's role in promoting land preservation will be looked at.

Chapter four discussed the Ministry in terms of its centralized nature causing a lack of rural contact and a diminished overall presence. This is highlighted in the fact that before 1986 the South Island did not have a Ministry For The Environment Office. Land users and Local Government managers had to travel to Wellington to consult the Commission on how the Impact Reports should be handled. Even since the Ministry was formed the decentralization has been limited to two small South Island Offices (Christchurch and Dunedin). And unlike the two previous Departmental examples these managers are responsible for policy issues ranging from reducing lead in the environment to the irradiation of food. As a consequence the Ministry is unable to concentrate on particular issues in any great depth. Canterbury land users and Local Bodies see the Ministry as a remote organization with little relevance to their current undertakings. Only a small number of the farmers interviewed had ever been in contact with the Ministry or had received their promotional material. Over half of the developers and mineral companies had consulted the Ministry but the approach had to come from them and not the Ministry.

When the Ministry negotiates with Departments and developers on their environmental responsibilities it puts

forward standard, national policies, which are inflexible and which often do not reflect local circumstances. The Ministry lacks the local representation which is needed to modify national policies to suit the local conditions. The Ministry's officials have not appreciated the need for local negotiations and as a consequence they have been largely unsuccessful in affecting land use attitudes. Their managers do not appreciate that they have limited power to influence land users by legal means and that they must make compromises if they want to gain the trust of land users.

The only legal power the Ministry has to affect land use activities is their authority to issue Water Conservation Orders. These orders can limit the level of water that is drawn off from a protected river. The Ministry on receipt of a Conservation Order application evaluates the worthiness of the proposal and under the Minister's direction appoints an independent Tribunal to hear the application (if the Minister considers the application is worthy of a national protection order). If the Order is approved existing water rights are secure but new ones are unlikely to be passed unless they have tight constraints upon them. In the upcoming case for a National Water Conservation Order on Lake Ellesmere the Ministry as the controlling authority should have established contacts with the land managers and undertaken a publicity campaign so as to explain to the affected groups what a National Water Conservation Order would mean to them. In the Ellesmere case this has not occurred. Most land managers have had only limited contact with the Ministry's officials throughout the application process. This lack of information to the land

users has left many of them uncertain as to how the Water Conservation Order will affect them and has made most of the land users weary of future contacts with the Ministry.

The Ministry on private land has failed to achieve its goal of advancing an awareness of the need to protect New Zealand's water, soil, and air resources. The Ministry is not seen by Canterbury land users as a mediator who takes an unbiased approach in environmental matters. The public still sees the Ministry in its old environmental auditing role which makes the land users believe that the Ministry opposes development. As a consequence of this and the fact that the Ministry can only make recommendations on most land use issues it has not had a great impact on promoting sustainable resource use. The lack of flexibility in adapting national policies to local conditions and the lack of consultation between the Ministry and the land users has meant that the Ministry's decision making role has been handicapped.

The studies so far have only looked at Government Departments but there are a number of other Government institutions which can affect land users. For this reason the rest of this chapter will look at a Government Quango (the Agricultural Pests Destruction Council, APDC), and a local Government institution (Canterbury Councils). The Pests Destruction Council was chosen to illustrate how a semi-autonomous rural actor operates in the decision making process. And local Councils were selected as they will show how regional (second level) actors differ in their actions from those actors who take directions from national offices.

The Agricultural Pests Destruction Council

The Agricultural Pests Destruction Council is included in this set of case studies as it has a clear rural land use and land preservation stance which the individual Boards attempt to get across to the local farmers. The official Council line is that the function of the Boards is to protect New Zealand's water and soil values from the threat of deterioration.

The Agricultural Pests Destruction Council is the rural actor which controls New Zealand's system of Pest Destruction Boards. The Pest Destruction movement had its origins in the 1887 Rabbit Act which established Rabbit Boards in North Canterbury and Hawkes Bay. By 1947 there were 102 Rabbit Boards (58 North Island, 44 South Island). These Boards were brought together under the 1947 Rabbit Nuisance Act which established the Rabbit Destruction Council. The Council had a "killer" policy which means that they aimed at eradicating rabbits from infected areas. The Council also had the role of supervising the actions of each board and the distribution of subsidy funds. In this period the funding arrangement was 50 : 50 (Council paid 50%, farmers paid 50%). The Agricultural Pests Destruction Council in its present form, with authority over all noxious pests (eg Opossums, Wallabies, Rooks, Hares, and Stoats) was created in 1967 from the Agricultural Pest Destruction Act. Due to the cost of pest destruction and the number of small, inefficient boards (208 Boards in 1968) the Council has had to change from the extermination policy to a control policy. The Council has had to amalgamate smaller boards and reduce

staff markedly, so that from a staff of 1200 in 1972 there are presently just under 300. Like the Ministry of Agriculture and Fisheries the Council has had to go over to user pay. To cope with the user pay system the Council has had to grade all areas on their pest proneness to clarify where the areas of most need are. As part of the move to user pay the Central Council will be abolished (October 1989) and the controlling functions will be shifted to the new regional Councils. The consequences of this restructuring of the Board system will be considered in Chapter Eight.

The Central Office of the Pests Destruction Council is unlike the Departmental Head Offices which have already been outlined. It is a small unit which has acted more in a supporting role to the Boards than as an administrative body. This supportive role has also been taken on by the new Regional Pest Authorities (RPA's) which were established in April 1987 to co-ordinate and guide the 90 Boards. They were also established as part of the phasing out of the Pest Destruction Council. These new RPA's and the Council believe that the local managers have the expertise to direct local destruction activities and that the major role of the higher level managers is to allocate funding and to undertake the biological research that is needed to combat the pests. Even the funding role is being reduced with user pay as each Board gains the bulk of their revenue from their local area. Because the higher level officials work in a support role to the Boards there is more contact with the local managers than in many other organizations.

The Boards have been in existence for a long time and

the rural land users have grown up with the Boards and with many of the staff. There has always been close co-operation between the Board officials and the land users. The farmers feel they can trust the local managers as they work in the same area and can be influenced by local attitudes. The Boards are controlled in the first instance by an elected committee who are usually local farmers. Issues such as rating levels and what programmes should be undertaken are therefore debated out by the farmers who are going to be affected by the decisions. This allows a high level of local input and a much greater local acceptance of Central policy guidelines than would be the case if a policy was simply imposed from Wellington.

The Council and individual Boards work with the farmers not only to combat pest infestations but to introduce remedies which will slow any return of the pests. The local managers are there to assist the farmers in introducing soil and land preservation measures so that future pest destruction costs will be minimized. The Board managers have this second role as a result of the flexibility that each Board manager is given. If the managers were working under strict guidelines from a remote Central Office then these extra functions would not be possible.

The Council and Boards have achieved a great deal in promoting sensible land use as they can show farmers examples of what new farm practises can achieve in stabilizing land and limiting the effects of noxious pests. The personal contacts between Board managers and land managers has built up the trust which is needed to influence

rural land use decisions. The Boards may be small and have limited resources but their influence in affecting land use decisions is considerable. The impact of these managers exceeds the legal position they have in the legislative framework. Unfortunately much of the benefit derived from these Board managers could soon be lost if full user pay is introduced and the Boards are centralized to major centres such as Christchurch. A fuller explanation of the implications of these changes will be given in Chapter Eight.

Local Councils

In this final case study the aim is to show how rural actors which are based at the local level rather than the national level differ in their actions and way of negotiating with land users. Local Councils were chosen as they affect all rural land users. The powers and functions of local Councils will not be outlined as was the case in the previous examples as this has already been covered in Chapters Three and Four. This present discussion on rural Councils in Canterbury is concentrating on their land preservation / land management policies and how they have been able to influence land managers to implement these policies.

The study of Council attitudes towards rural land preservation (Question One of the Local Government Questionnaire, see Appendix One) found that of the Thirteen Councils interviewed nine considered land preservation in the broad sense. The Ashburton County Council situation

reflects the attitude of these nine Councils. The Council is there to:

"... facilitate the wise use and management of resources, and to provide direction and control for development in the County..." (Ashburton County District Scheme, 1985, Section 1.1)

Most of the Councils did not have a formal land preservation policy but an informal one based upon this idea of wise land management. This concept was not confined simply to the uneconomic rural zones but to all rural zones. County Planners and Engineers believe that the preservation of the land against soil erosion, agricultural exploitation, and environmental degradation is crucial. Only four of the Councils interviewed had a narrowly defined land preservation policy. Their land preservation policy was more along the lines of protecting environmentally sensitive areas from destruction.

These four Councils may have had a narrow formal policy on land preservation but Questions Seven and Twelve of the Local Government Questionnaire revealed that all the Councils considered that they should aid or direct land users to preserve the land against erosion as well as environmental degradation.

Question Five in the same questionnaire asked how these Councils attempted to influence land users to undertake land preservation measures. This question brought out two types of responses. Firstly the legal rights of the Council to affect the nature of rural land use and secondly the informal system of consultation which is undertaken before projects go before hearings and the planners for the

official consent. The County Engineers, Planners, and Councillors interviewed nearly all took the view that Councils should not be heavy handed in trying to introduce land preservation practices to the rural sector. They saw this as the quickest way of alienating the rural community. For this reason the local managers were loath to use their legal power to force certain courses of action. This highlights the crucial difference between national and local actors. In the rural situation with relatively small Councils, the Councillors, Planners, and Council staff share the same pressures as the local community. This means that the Council managers with the decision making power can see the local situation and bring in appropriate policies to suit the situation. These managers see the need to be flexible when undertaking negotiations. They see their legal rights as a back up for when negotiation fails.

All the Canterbury Councils appreciate the need to encourage land preservation in land use projects. Question Six (When your organization makes a planning recommendation is it the economic or the environmental (preservation) priorities that are the deciding factor), rebuked the concept that rural Councils simply encourage higher agricultural production at any cost. There was an appreciation in all but one case that the Council had a legal obligation to encourage a balanced approach towards land use decisions. Only the Ellesmere County Council considered that economic factors took priority over land preservation ones. This was because the Council believed that farmers have the right to manage their land as they see fit. The other Councils responded to this question by saying

that any planning consent they authorized had to present a balanced view. The McKenzie County Council has gone further than this and considers that they give a bias to maintaining the environmental quality of the area over that of allowing new land uses.

Canterbury Councils have a number of ways in which they can get land users to follow their land management guidelines. Land users are compelled to work within the bylaws and district scheme that each Council puts out. These bylaws and schemes set out the type of activities that can be undertaken and where they can be located. Councils also have a legal right to set development guidelines for any project which requires a Council consent. These guidelines can be used to protect environmentally sensitive areas and to control how the land use activity is carried out. In addition to these legal powers to control land use the Councils have also used informal negotiation to encourage land users to follow a certain course of action.

These Council efforts to promote land preservation have on the whole met with favourable feedback from the land managers. The Councils consider that most farmers appreciate the efforts they have undertaken to encourage better land management. There are however always some farmers who feel that any Council intrusion is placing unnecessary constraints upon the freedom of the individual to farm as they please. The attempts by Councils to bring in balanced planning approaches and the encouragement of land preservation has not aroused undue hostility from the land users as these small rural Councils are trusted. The

Councillors in most cases are local land owners, as was shown in Murray's study (1985) of North Canterbury Councils (see Chapter Two). This has helped the land preservation / management policies to be accepted. Many of the County Clerks, Planners, and Engineers have had long experience in these areas. This all goes to built up the confidence between the land users and the Council managers.

The major accomplishments of the Councils in promoting land preservation have been in the areas of preventing land use practises which do not suit sensitive areas or which could cause environmental degradation (eg soil erosion and damage to native species). Councils are willing to allow new types of farming and development but only if they are not going to be detrimental to the landscape. The Councils have also made a contribution towards land preservation in terms of an educational role. The Council's have been undertaking land preservation practises which can be seen and copied by the other land users. These activities have covered a wide spectrum, from the Kaikoura County Council's Coastal Erosion Zone, where the Council is undertaking work to slow the erosion, to those Councils which have put aside areas as scenic reserves to protect sensitive environmental values. Through these projects the Council managers have made the land users more aware of the need to preserve their land resources.

Conclusion

The five case studies have highlighted the importance of local managers and that flexibility in making decisions

is a crucial factor in winning over the local land users. Although these examples are of governmental institutions the points which were drawn out from them are applicable to most rural actors, as the examples have included institutions which operate from a national perspective as well as from a local level. The only major difference between private and State institutional actors is that the private institutions do not have a legislative system to back up their decisions. To demonstrate how private institutions are able to influence land users without any legislative authority the next chapter will look at three practical examples. The examples to be investigated are the Forest Owners' Association, Federated Farmers, and the Maruia Society. Lobby groups are being studied as they, more than any other rural actor, are dependent upon consultation with land users to achieve their land use aims.

CHAPTER SIX

THE ROLE OF PRIVATE INSTITUTIONS IN THE RURAL DECISION MAKING PROCESS

The role of private institutions in rural decision making is a field of research which has been largely ignored. Most rural researchers have tended to concentrate on the contribution of State agencies to rural planning and they have overlooked the role that private institutions can play. Private institutions have been underrated as they have no regulatory powers and they gain their influence through consultation and lobbying. Consultation and lobbying are however major ways of influencing what land use actions are to be carried out. Private institutions can use their consultancy role to guide land users towards certain policy options. They can do this by limiting the flow of technical and planning information a land manager receives or by making informal recommendations as to which product or policy the land user should follow. Private institutions also play a major decision making role through their lobbying activities. These can include lobbying Government agencies and presenting formal submissions to planning hearings. These lobbying activities give private institutions a way of incorporating their views into New Zealand's formal land use policy.

These points will be detailed more fully in the three institutional case studies which make up the rest of this chapter. Case studies have been used instead of a general overview as they can illustrate more clearly the role of individual managers and the informal links that are built up

between the land users and the local institutional managers. The three institutions which have been used in this chapter are the Maruia Society, Federated Farmers, and the New Zealand Forest Owners' Association. These three institutions were selected as they are organizations which lobby Government agencies and which advise land managers on alternative land use options.

The New Zealand Forest Owners' Association

The New Zealand Forest Owners' Association is not a high profile rural actor but it does have a major role in co-ordinating forestry promotion and in representing the forestry sector at planning hearings. The Association was formed in the late 1920's to represent the interests of private forestry owners. The current membership of the Association ranges from the major forestry companies to individuals with small forestry holdings. Between them they account for nearly 90% of New Zealand's privately owned exotic forests. The Association has a two tier structure so that regional interests can have an input into the Association's national policies. At the regional level there are 13 'Group Membership Areas'. These regional groups formulate policies which are then sent up to a central authority. The central authority consists of a secretariat (Wellington) and a town planning division (Rotorua).

The Association carries out a number of activities in its promotion of commercial forestry. The activities range from providing growers with technical forestry advice to presenting formal submissions at planning hearings. The

Table 6.1 New Zealand Forest Owners' Association Range Of
Activities

Service & Advisory Roles

- *Grower information services
- *Research ventures with other forestry agencies
- *Public education campaigns
- *Liaison with other Forestry Actors (eg NZ Forestry Council)
- *Liaison with other land user organizations (eg Federated Farmers)

Formal Planning Roles

- *Government representation and submissions
- *Submissions on legislation affecting forestry
- *Represent the interests of forestry in Council and Planning Tribunal Hearings

Source: Interview with NZ Forest Owners' Association
spokesperson

activities can be grouped into two broad categories (see Table 6.1). The service/advisory group of activities are concerned with promoting forestry's public image and with providing technical advice to growers. And the planning activities have the aim of removing the legal barriers that prevent the expansion of forestry in New Zealand. Both of these roles are concerned with influencing land use actions.

The Association in both its advisory and planning activities is attempting to introduce a sustainability concept to forestry land use. In the past forestry has been seen as an exploitative industry. The Association's aim is to change this attitude by promoting the benefits of forestry and by showing that forestry companies have attempted to limit the amount of environmental damage that their operations cause. The Association sees that there is a need to encourage forestry growers to be sensitive to environmental issues. For this reason the Association has undertaken a substantial amount of research into what are the best planting and land restoration practices. The Association wants to encourage forestry practices which

benefit the land and which help their industry to be accepted as a good land user.

With the Association's structure and land use aims outlined the next stage is to look at the activities the Association undertakes. The Association's advisory activities will be studied first and then their formal planning activities. The Association's major advisory role is to supply forestry research information to new and established growers. This role has evolved over the years into a consultancy operation. Growers trust the Association as it is seen as working on their behalf. Their influence is greatest on new entrants and on small growers who can not afford their own research teams. To these growers the Association is the source of information on how the land should be prepared, on what species should be planted, and on how the timber should be milled. Association managers are also used by the growers to liaise with the local Catchment Boards and other Government agencies. Forestry growers are prepared to leave much of the formal negotiations up to the Association as it is seen as having expertise in negotiating with Government agencies.

Growers are also prepared to accept much of the Association's technical advice. This trust in their technical advice has developed since the Association began a series of joint research ventures with the Forest Research Institute. As a result of these research projects the Association now has a technical staff which has experience in handling forestry issues. The Association can now show the growers that it has practical experience in overcoming their forestry problems. As a consequence growers are more

willing to accept the advice of the Association's staff. There would not be the same level of trust between the growers and the Association's staff if they did not have this practical experience.

The Association's second advisory role is concerned with promoting the public image of forestry in New Zealand. To improve forestry's image the Association has had an active promotional campaign. The Association has undertaken promotion by itself and in conjunction with other forestry actors (eg NZ Forestry Council). The basis of their promotional campaign has been the publication of forestry information booklets. These publications have been distributed to interested land users and to the general public. What these publications attempt to show is that forestry is a wise land use and that it can co-habitate successfully with farming. The aim behind the publications and the promotional campaign is to change public attitudes towards forestry. Forestry has been seen in the past by land users as being in competition with agriculture for the use of the land. These publications attempt to dispel this idea.

The Association's publications are able to reach the land users but they could not be successful without a network of local managers to follow up the initial contacts. The Association does not have enough members to warrant a local structure so they have entered into joint promotions with institutions who do have a network of local representatives (eg Farm Forestry Association, Forest Research Institute). The Association has used these institutions to distribute their promotional material to the land users and to arrange public seminars. This co-operation

with other institutions gives the Association a de facto presence at the local level.

The work of the Association and other forestry promotion bodies has had a major impact on public attitudes. It has had a major impact not because people were receptive to their message but because the campaign has been an ongoing one. The Association realizes that it will take many years to gain land user confidence in their policies and even longer before they see any real landscape change. Many institutions do not understand that it takes time to introduce land users to new products. Land users have to be introduced slowly to a new product and they have to be kept informed as to how successful it is.

In addition to the two advisory roles that the Association has it also participates in the formal planning process. The Association plays a role in the formation of new land use legislation and in the alteration of existing policy guidelines. The Association has a major planning role as it is the official representative of the forestry industry. This gives their submissions an extra weight as they are backed up by the combined strength of over 70 companies and hundreds of small forestry growers. The Association also has the advantage of employing a full time town planning staff. By having a permanent staff the Association is able to monitor legislative changes as they occur and they can make immediate responses.

The Association's major aim in their planning activities is to get New Zealand's planning system amended so that forestry is put on an equal footing with other rural activities. The Association attempts to do this by lobbying

Government agencies and by presenting submissions to select committees. Their major successes have been at the local level in influencing District Schemes. The Association, through its town planning section has had a role in amending a number of District Schemes so that they no longer discriminate against forestry. The town planning section has achieved these changes by negotiating with the Councils concerned, or by taking them to the Planning Tribunal.

In the Canterbury region the Association has had an impact on a number of District Schemes. The Association's town planning staff have been directly involved whenever a Council has undertaken a scheme redraft. In the Ellesmere and Wairewa cases they were able to make forestry a predominant land use in all rural zones. And in other cases the Association has been able to get major changes to what were discriminatory District Schemes. An example of this would be the revision of Waimairi's District Scheme. The Scheme has been altered so that forestry now has a predominant land use status in Rural Zone C and is allowed to take up to 15% of a property in Rural Zones H and G.

In most cases the Association is able to influence Council actions through negotiation or by participating in the District Scheme redrafting process. But in a few situations the local Council has ignored the Association's submissions. In these cases the Association has resorted to an appeal to the Planning Tribunal. Sometimes the threat of an appeal will bring the local Council to the negotiating table but in a number of cases there is no other remedy but to take the dispute to the Planning Tribunal. In the Canterbury region the threat of an appeal to the Planning

Tribunal was enough to force the Hurunui County Council to amend its District Scheme. The Council had attempted to place controls on native bush clearance in their 1986 scheme review. The clause meant that native bush clearances would have needed a Council consent. The Association's threat of an appeal made the Council revise the clause. In the Canterbury region the Association has not had to take formal proceedings against any Council in recent years but they are at present undertaking appeal cases against the Opotiki (East Cape) and Waimea (Nelson) Councils. The Association has had some success in using the Tribunal as it has come down on the side of balanced land use.

The Association also participates in the formation of national guidelines and legislation on forestry land use. The town planning section has over the years presented formal submissions to the select committees which handle environmental and land use legislation. In these submissions the Association is representing the interests of the forestry sector. The submissions which are put forward have a balanced land use theme. The Association does not attempt to gain excessive privileges for forestry but it does attempt to create a balanced planning framework. The Association realizes that the most effective way to get their views accepted is to compromise on some of their aims and to present submissions which do not threaten the position of other user groups.

The final planning role that the Association has involves the lobbying of Central Government agencies. The major agencies that the Association lobbies are the Ministry of Forestry, Ministry of Agriculture and Fisheries,

Timberlands, and the NZ Forestry Council. The Association has been more fortunate than most private institutions in their lobbying role as it can show that it represents the majority of New Zealand's forestry growers. And the public institutions which the Association lobbies are mainly forestry related which means that they are also promoting the interests of forestry. This has resulted in close co-operation between the Association and the State forestry agencies. There are informal negotiations between them and they attempt to develop common policies. Because of this co-operation the Association can have an input into Government decision making.

The NZ Forest Owners' Association case study has brought out some major points on how private institutions can affect land use actions. In particular the study showed that private institutions are able to guide land users towards certain policy options by way of their advisory role. And that private institutions can affect land users by lobbying Government agencies and by making formal submissions to select committees. These are important aspects to consider when looking at private institutions in the rural decision making framework but they are not all of them. To fully understand the role of private institutions it is important to look at a range of case studies. Generalizing from a single case study would be very misleading. No two institutions operate in the same way. They have different management structures and they promote different policies and products. Because of this it is necessary to look at a number of institutions. Only by looking at a number of studies will it be possible to make

general statements on how private institutions operate.

Federated Farmers Of New Zealand

Federated Farmers is a national organization which represents the interests of the agricultural sector. The Federation is not the sole farming representative but it is the largest and best organized. The Federation is structured so that the local members can have an input into national policy. There is a well developed system of local representatives and local committees. Above them are 22 regional authorities and directing the entire network is a central body based in Wellington. The Federation is structured so that each level has a degree of independence in the policies they formulate.

The Federation's major activities are concerned with public education and advancing agricultural interests at the political level. The Federation does have a farm advisory role but this is limited to providing information on the effects of new Government policy. The Federation does not

Table 6.2 Federated Farmers Range Of Activities

Service and Advisory Roles

- *Provide farmer information services (on legislative changes and on new land management techniques)
- *Promote the agricultural sector through public educational/information campaigns

Formal Planning Roles

- *Liaison with other land user organizations (eg Maruia Society)
- *Lobby Government agencies to get agricultural viewpoints accepted as policy
- *Representing the agricultural viewpoint at parliamentary select committees

Source: Interview with Mark Smith (Federated Farmers Legal Adviser)

believe it should take a major farm advisory role as the rural sector is already serviced by a number of consultancy agencies. The full range of activities that the Federation carries out are detailed in Table 6.2.

The Federation has the objective of promoting the interests of farming but this does not mean that it has no regard for environmental issues. Farmers more than any other land user group are aware of the need to manage the land in a way that allows a sustained or improved yield. This view is reflected in the policies which are promoted by the Federation. The Federation does not want to see the land exploited as has been the case in a number of overseas countries. Land is a long term asset which needs careful management to be kept at its present productive levels. The Federation is not just concerned with preserving the land for its economic utility. The Federation and its committees (eg the High Country Committee) have worked with the Queen Elizabeth II Trust, the Department of Conservation, and private conservation groups to maintain areas of environmental value that still exist in the rural sector. The Federation for instance has supported the Department of Conservation's aim of identifying the rural areas which should be protected for their environmental qualities. The Federation's only reservation is that farmers should be compensated if they are willing to retire land or if they place it into covenants. The Federation in its activities can therefore be seen as promoting a land management concept.

The rest of this case study will be used to see how the Federation uses its advisory and planning roles to

influence land use actions. As with the first case study the advisory and planning roles will be dealt with separately. The Federation's advisory role has two parts to it, as can be seen in Table 6.2. The first of these activities is the farmer information service. As was outlined earlier this is only a small component of the Federation's total workload, as there are already a number of farm consultancy firms. These consultancy companies can provide farmers with advice on a wide range of land use issues (eg stocking levels to building construction). The Federation feels however that there are certain issues which the private consultancy firms do not have a great deal of expertise in. The major issue they consult farmers on is how changing Departmental guidelines and new legislation is likely to affect their land use activities. The Federation has a full time legal staff considering these issues.

Unlike normal consultancy companies the Federation does not develop total farming packages. Their officials are consulted on specific issues, (eg the impact of new planning legislation on farming). The issues which they deal with are more on farming policy than with specific farming actions. This concentration on policy advice has limited the Federation's ability to affect land use actions. To have a substantial influence on land use activities at the ground level a consultancy organization must offer a complete land management package. By offering only selected services as the Federation does land users are less willing to accept their advice. Land users want a consultancy firm which can offer advice on issues ranging from land management to product selling. Land users are more willing to trust

institutions which deal with a range of issues and which have local managers who have grass roots experience.

The Federation's other advisory role is concerned with publicizing their land use policies and with promoting new farming practices. These promotional and educational campaigns have taken a number of forms. The major way that the Federation has transmitted its message to the farming sector and the general public has been through its local committees. The committee organizes field days, lectures, and the distribution of agricultural literature. This is an effective way of transmitting information. The regional authorities and the local committees are able to establish what are the best ways of transmitting central information to their members and to the public. Many institutions lack this local representation and the result is that they send inappropriate material and try to promote the policy or product in a way which does not fit the local conditions.

After the local committee has decided what is the best way to promote a new policy or farming practice they will call on the central office to provide the resources. For a lecture the central office may send some of their own staff (eg on legal matters Evan Chapman or Mark Smith) or bring in qualified personnel from outside organizations. To back up the lecture the Federation has developed a number of publications (general and detailed). These publications are also sent out to libraries, associations, interest groups etc so as to get their message across to the widest possible audience. The third form of transmitting the Federation's message is by demonstration, which can be either a field day on a farm or a pavilion at an agricultural show. The field

days involve the local committee arranging a visit to a farm which has taken up the new farming practice and the local or central office bringing in experienced consultants from MAF or some other agency. These field days are usually backed up by follow up contacts from the consultants.

The only way to show this process in operation is to look at a practical example. The example selected relates to the Federation's view on preserving areas of environmental value. The Federation thought it had to clarify its position on this issue after the Government instigated the Protected Natural Areas programme in the early 1980's. The Federation saw that it needed to give its members some direction as to how they should deal with the programme. The Federation began this process by preparing a paper on their attitudes to such topics as wetlands preservation and the protection of native bush. The paper outlined that the Federation supported the idea of identifying areas of environmental importance and that where practical farmers should attempt to maintain these areas in their present state. But if the Government wants farmers to set areas aside then there should be some form of compensation.

Once the Federation's approach was clarified the job of transmitting the policy to its members was given to the regional authorities and the local committees. In the South Island High Country case this task went first to the High Country committee under Hamish Ensor and then to the local representatives. The regional and local committees arranged a number of lectures and brought head office personnel as well as Lands and Survey, DSIR, and Wildlife service staff

down to speak to these meetings. The head office staff explained the Federation's position on land preservation and explained that they supported the PNA programme in its identification of sensitive environmental areas. This laid the ground for the Government representatives who set out how the PNA programme would operate. To demonstrate what type of programme the Federation was supporting there were several field days which showed what the Government was trying to do. The result of this information process was that most local members were made aware of the Federation's viewpoint on the preservation of environmentally sensitive areas. But more than this it made their members informed as to how the PNA identification phase would affect them. This made farmers less suspicious of the programme.

The Federation's other major role is lobbying Government agencies and presenting submissions before select committees. The Federation has had a long history in these two activities and they have established close contacts with a number of Government agencies, in particular the Ministry of Agriculture and Fisheries. At the central level (Wellington) the Federation and the Ministry of Agriculture and Fisheries have regular contacts. The Ministry uses the Federation as a sounding board on what new policies are acceptable. This gives the Federation an advisory role at the highest level. The Federation can use this role to introduce its own policy objectives. At the regional level the Federation is able to negotiate with the Ministry on regional policies such as the Canterbury drought package. The Federation acted as the farmer's spokesperson during the drought package negotiations. The Federation has undertaken

this type of role in most provinces over the years (eg drought relief, flood and earthquake programmes). And at the local level the Federation is often liaised with by the Local MAF officials if they are wanting to undertake field days or farm trials (eg the MAF/DSIR grassland trials in South Canterbury has a Federation input).

The Federation has not limited itself to negotiating only with MAF. The Federation consults a large number of Government agencies (eg Department of Conservation, Ministry of Energy, Ministry For The Environment). Federation officials try to establish a regular timetable of consultations so that the liaison is put on a semi-formal footing. By having regular contacts links it is simpler to build up trust and a working relationship. The Federation has worked successfully with a number of Government agencies to amend their policies or to make them more acceptable to the farming sector. These close and regular links with Government actors have contributed to the Federation's influence over rural land use decisions. The Federation has found that negotiation is the most effective way of influencing Government land use policy.

The Federation's final method of influencing land use actions is by participating in the legislative process. Like the Forest Owners' Association the Federation's submissions are seen as representing an entire land use sector. Their submissions have this image as they are created after consulting their regional authorities and the local committees. The Federation makes submissions on a wide range of issues (eg land use, taxation, resource management, and transport). In these submissions the Federation is

asking for farming not to be hindered by excessive duties, transport costs, or planning procedures. The Federation is well aware that it can not make excessive demands as this would antagonize the select committee members. In the current economic climate the Federation has therefore been presenting submissions which follow on from Government actions. These include submissions on the cutting of farm input costs (eg reduced taxation on diesel) and on the restructuring of the transport and cargo handling sectors. These recent submissions have been well received by the committees as they not only push the farming line but the Government's major aims. By taking a flexible line on their major law reform objectives the Federation has been able to get many of their policies incorporated into the legislation.

The Federation and the Forest Owners' Association represent industry perspectives and their actions are motivated by economic criteria. In contrast to these two examples the third case study will look at an institution which represents the environmental perspective and which is driven by social demands.

The Maruia Society

The Maruia Society was formed in May 1988 as a result of a merger between the Native Forests Action Council (NFAC) and the Environmental Defence Society (EDS). The merger has created one of New Zealand's strongest environmental lobby groups, both in terms of membership and financial resources. The new organization is based round a structure of 20 semi-

autonomous regional branches and a co-ordinating national authority based in Nelson. The aims of the new Society parallel those of its predecessor the Native Forests Action Council. These are to stop the uncontrolled logging of native forest, the need to control the location and conditions under which mining takes place, and the need to improve funding to State conservation agencies. The Society promotes these aims in a number of ways. The range of activities which the Society undertakes are outlined in Table 6.3. The major difference between the activities of an environmental institution and an industrial institution is the lack of a consultancy role.

In the two earlier examples the institutions were able to have a consultancy role as they were providing technical and legal advice on how land users could more productively work their land or how they could cope with new legislation. This role does not exist for a lobby group which is attempting to safeguard areas from mining and forestry. The only advisory role that is open to an environmental group is the public education activity.

Before going on to look at this public education activity the Society's land use approach should be

Table 6.3 The Activities Carried Out By The Maruia Society

Advisory and Service Role

*Public education campaigns on the affects of mining and uncontrolled forestry

Formal Planning Role

*Liaise with other environmental groups (joint ventures)
 *Lobby Government agencies and politicians
 *Formal submissions to select committees
 *Use the planning system to restrain developers

Source: Interview with Maruia Society spokesperson

clarified. The Society has a number of views on how land should be managed. On reserve and park land the Society wants the existing ecological balance to be sustained for future generations. This means excluding mining and development activities from these areas. On private land which has a high environmental value the Society wants to encourage farmers and foresters to undertake a sustainability approach. And on private land which has already been altered the Society is simply attempting to highlight the need for good pasture management so that erosional problems do not develop. Overall the Society is taking a flexible approach but with an emphasis on preserving land in its natural state.

The purpose of the Society's publicity campaigns is to change the public's attitude towards land use and to publicize the environmentally damaging activities that certain individuals and companies have been undertaking. Environmental groups have found publicity a major tool in influencing the activities that companies undertake. Both the local branches and central administering authority undertake publicity campaigns. The local branches organize meetings, print pamphlets on regional issues, run field trips, and undertake protests to highlight environmental abuses. The central office in Nelson publishes a national magazine (Bush Telegraph) and specialized information pamphlets. They also arrange national lecture tours for environmental speakers and co-ordinate large scale protests. The Society has successfully used public protests to preserve areas of native bush on public and private land. In 1978 the Native Forests Action Council's tree-top protest at

Pureora (Central North Island) saved an area of totara forest from being felled by the Forest Service. And in 1982 public protests by the NFAC persuaded Feltex to terminate its contract to log the Waitutu forest in South Westland. Public protests generate publicity but the Society is well aware that confrontation is not the most suitable way of bringing about land use change. The most permanent way of preserving an area is to change public attitudes so that environmentally damaging actions are no longer seen as socially acceptable.

The two organization's which now make up the Maruia Society have both achieved a degree of success in changing public and political attitudes. The Environmental Defence Society has brought the mining issue into the public arena and has succeeded in heightening public concern over the environmental damage that mining can cause. While the NFAC has highlighted the issue of native logging. Both the mining and logging campaigns have been long term projects. This shows that conservation groups are aware that to change public attitudes requires a sustained educational programme. The promotional and educational campaigns are co-ordinated from Nelson but the majority of the work is carried out by local committees. In Canterbury there is a strong and well organized local organization. The committee campaigns on local issues as well as the major national ones. The committee has over the years held public meetings and issued educational material on the protection of Canterbury's rivers, the felling of native bush on Canterbury farms, and on the way the Department of Conservation manages its regional land holdings. These meetings, protests etc have

heightened local awareness on these issues and has encouraged a number of land users to rethink their land use attitudes. The local committee has also held meetings and organized protests to highlight national issues such as wildlife protection and mining in the Coromandel.

The Society's other activities are concentrated on influencing the formal planning process. The Society has been particularly lucky in inheriting a strong legal team of advisers from the Environmental Defence Society. With this team the Society has undertaken a number of planning appeals. The Society won a High Court case in July 1989 that upheld the use of planning controls over native forest land. This decision has caused a number of forest owners (particularly in the Nelson area) to open negotiations with the Society, as the decision would allow the Society to appeal any logging programmes that land owners may develop with a milling company. The Society has not taken any Canterbury land users to court so far but they have been affected by the decisions made in other regions. The recent Tribunal decisions on native logging have caused a number of Canterbury forest owners (usually farmers) to consult the Society.

The Society is using the appeal process more frequently, especially as political and legal interpretations of the law start to favour conservation minded viewpoints. The Society has found that using legal procedures is a more successful way of bringing land users to the negotiating table than protesting and confrontation. Protesting can bring publicity and occasional success but using the formal planning system has brought the Society far

more tangible results. Rural actors are more inclined to negotiate with an organization which can match them for legal expertise.

The Society prefers to negotiate rather than protest or take legal action as it is the cheapest form of lobbying. The Society has gained a number of successes through negotiation in recent years, as they have taken a more flexible approach towards logging and mining. The Society has been able to develop logging agreements with a number of individuals and firms based on a sustainable yield concept. And in the field of mining they have been able to reach agreements with a number of companies (eg Milburn cement) on the location of mining operations. The Society has lost a number of cases and many negotiations have broken down but overall the Society has been gaining an increased role for itself through its use of legal appeals.

The Society has also become more involved in presenting formal submissions to the select committees which decide on new legislation. When the Society has put in a submission on new planning, environmental, or land use legislation they always try to include the same key principles. The major one is that economic efficiency should not be the only criteria for managing natural resources. Secondly, that the legislation should always be based on the concept of good environmental management. And finally that there should be stronger environmental safeguards on consents for mining and similar land use activities. The Society has been at a disadvantage when it has presented submissions as they do not represent an existing land user group and their resources to prepare the submissions are

substantially less than the industry groups.

The final area of formal lobbying is concerned with the Society's links to Government agencies. The Society's major association is with the Department of Conservation. The links between the two organizations have been consolidated by the latest chief executive of the Department, David McDowell. He has brought the Society into policy discussions at the highest level. The Department and Society undertake regular discussions on environmental issues. The Society has been able to persuade the Department to halt timber extraction on their land (early 1987), and has had an influence on the Department's mining policy. The Society has also been brought into the Department's land use programmes. In particular the Society has had an impact on how the PNA programme should be proceeded with. At the local level there is also a high degree of contact between the two organizations. In Canterbury Maruia Society officials have worked with the Department's staff when they have been undertaking the PNA fieldwork. The Society's officials have also had an input into the Department's management guidelines for the highcountry. This close working relationship with the Department gives the Society a direct role in rural decision making.

The Society has developed contacts with other Government agencies but these are usually sporadic and concern particular land use issues. For example the Society has had substantial negotiations with the Ministry For The Environment over their Resource Management Law Reform programme. The lobbying and negotiations have had tangible

results for the Society. The Society has been able to moderate Departmental policy so that it reflects a concern for environmental issues. And the Society has been able to get some of its views included in formal land use policy.

The Role Of Private Institutions In Rural Decision Making

The Maruia Society case study and the two earlier examples have highlighted a number of ways in which private institutions are able to influence rural decision making. This concluding section will be used to summarize these points. What the examples have shown is that private institutions can play a major rural decision making role, both in influencing national land use policy as well as individual actions.

The examples have shown that the consultancy role which most private institutions have can be used to influence land user decisions. Institutions can do this by limiting the supply of information on alternative land use options and by getting their local representatives to recommend certain courses of action. Not all private institutions have the same level of influence over rural actors. Rural land users are more willing to trust an organization's consultancy advice if the representative is a local manager who has had experience in tackling local problems. Institutions which lack a network of local representatives find it harder to build up local confidence in their advice as the land users do not know how competent the advisers are. A local representative can judge the best way to put across a new product or policy while outside

officials do not have the experience to judge what is the best way to put across their material. Land users are also more willing to accept institutional views if they are able to offer comprehensive service packages. Institutions which concentrate on single issues find it harder to build up land user confidence in their advice.

The discussion on how institutions are able to change social attitudes and land user actions found that educational programmes, field days, lectures, and protests can have an effect on attitudes and land use actions. The Forest Owners' Association and Maruia Society examples showed that sustained promotional campaigns can change social (and in time political) attitudes on land use issues such as mining and forestry planting. Providing information on activities over a prolonged period of time is an effective way of publicizing a product or policy. Commercial institutions find this a successful way of gaining public acceptance of their products and environmental institutions find it a valuable tool in increasing the public's awareness of environmental issues.

The case studies have also shown that private institutions are able to use the formal planning system to take land users to court. Institutions which have a strong legal section have been able to use the courts system to promote their own interests. The NZFOA has used the courts to free up the planning controls which restrain forestry, while the Maruia Society has used the system to block mining and development projects.

Private institutions can also influence the legislative system which controls rural decision making.

They can do this by making formal submissions to the select committees which consider the bills. Institutions are more successful in getting their views adopted if they represent a wide spectrum of opinion as the submission is seen as representing a section of New Zealand society. Submissions are also more likely to be incorporated into a bill if they are well presented and are not seen as being overly radical.

The final way that institutions can influence the rural decision making process is by lobbying Government agencies (local and national). Institutions which have regular contacts with a Government agency have an input into the policy these agencies put forward. Negotiation builds up trust and the agency will be willing to use the private institution as a sounding board before new policies are adopted. The institutions which have only sporadic contacts with Government agencies are not able to build up the same level of trust with the agency.

This summary of the ways in which private institutions are able to influence land users has shown that private actors can play a major role in the rural decision making process. It has also demonstrated that institutions do not need formal legislative powers to influence the shape of legislation and the way that land use activities are carried out.

CHAPTER SEVEN

LAND MANAGERS AND THE RURAL DECISION MAKING PROCESS

The purpose of this chapter is to present the land user perspective on rural decision making. The chapter will look at the institutional actors which land users consult (public and private) and the formal planning procedures they have to work through when they are undertaking new projects. The institutions and planning procedures have been identified from the responses that the land users gave to the farming and mining questionnaires.

An analysis of the questionnaire responses has revealed that most land users consult at least one institution before they undertake a new project. The institutions which are consulted and the reasons why land users consult them will be discussed in the first section of this chapter. The second section will look at what actual influence these institutions have had in shaping the layout of the rural sector. And the final section will study how land users feel about taking institutional advice and working through set regulations.

What Institutions Do Land Users Consult Before Making Land Use Decisions

The first section has two major objectives. The first is to identify the private and State institutions which are consulted by land users (farmers, miners etc) when they undertake new projects. And the second is to explain why land users consult these institutions.

Table 7.1 The Major Institutional Actors Which Farmers
Consult Before New Land Use Activities Are
Undertaken

<u>State Institutions</u>	No	% Of Sample
Catchment Boards	45	42.0
Ministry Of Agriculture	32	29.9
Local Council	27	25.2
Department Of Conservation	20	18.7
Ministry Of Forestry	5	4.6
Queen Elizabeth II National Trust	5	4.6
Landcorp	3	2.7
DSIR	1	0.9
<u>Private Institutions</u>		
Agricultural Consultancy Firms	26	24.3
Financial Institutions	25	23.4
Forestry Consultancy Firms	21	19.6
Seed Companies	14	13.0
Machinery/Fencing Companies	7	6.5
Conservation Groups	4	3.6
Town and Country Planners	2	1.8

(Sample of 107 Farmers)

Source: Farming Questionnaire (Questions 13 and 15)

Table 7.2 The Major Institutional Actors Which Mine/
Development Companies Consult Before New Land Use
Activities Are Undertaken

<u>State Institutions</u>	No	% of Sample
Councils	9	90
Catchment Boards	7	70
Ministry Of Energy	5	50
Ministry For The Environment	4	40
Department Of Conservation	3	30
Ministry Of Forestry	1	10
<u>Private Institutions</u>		
Town and Country Planners	6	60
Agricultural Consultancy Firms	2	20
Conservation Groups	1	10

(Sample 10 Mining/Development Companies)

Source: Mining/Development Questionnaire (Questions 4 and 10)

Tables 7.1 and 7.2 outline the major institutions which rural land users consult when they are undertaking new land use projects. The Tables at first glance reveal two major points. The first is that land users consult private institutions nearly as often as they do State institutions. This re-inforces the theme in Chapter Six, that private institutions do have a major role in rural decision making. It also shows that institutions without regulatory powers can have an influence on land use actions. The second point which can be drawn from the Tables is that the institutions with a high level of local representation are the ones which are consulted most frequently (eg Catchment Boards, Local Councils, Ministry of Agriculture and Fisheries).

The Tables do have a margin of error as they represent the views of only a portion of Canterbury land users, but they are representative enough to give a broad outline of the current views on rural consultation. The Tables are based on questions in the farming and mining/development questionnaires. Table 7.1 was based on Questions 13 and 15 in the farming questionnaire. Question 13 asked farmers what Government agencies they consulted when they wanted advice and planning approval for new land use activities (eg undertaking erosion protection works, planting shelter belts, setting environmentally sensitive areas aside). Question 15 asked this same question but for private institutions. The question's were broad enough so that they covered land use activities ranging from land covenants to building construction. Table 7.2 was based on Questions 4 and 10 in the mining/development questionnaire. Question 4 asked companies what legislation and Government

agencies they had to work through to get planning approval, and Question 10 asked the companies what private organizations they consulted when undertaking new developments or land restoration (eg Town Planning Firms, Conservation groups). The questions concentrated on environmental guidelines but they were general enough so that other areas of mining and development activity could be studied.

The Tables highlight a willingness by land users to consult institutions which have a local network of representatives. A major reason for this is accessibility. Many land users (notably farmers) find it difficult to travel long distances to consult with organizations on land use issues. They are therefore willing to accept the advice of local institutions rather than having the expense of travelling to a major centre. Land users also prefer to consult with institutions and institutional managers which they have had experience with. This means they are more willing to trust the advice of a local representative who has shown their technical expertise rather than risk the advice of an outsider. This issue of confidence in managers has already been discussed in Chapters Five and Six.

The Tables show two clear examples of this preference to consult institutions with local representatives. The first is the case of advice on forestry matters. Table 7.1 shows that farmers are more willing to consult private forestry consultants than they are the Ministry of Forestry. The major private forestry consultancy firm which farmers have used is the Farm Forestry Association. The Association's representatives are usually local farmers

themselves which means that they are known in the community. This builds up local confidence in their advice. The representatives from the Ministry Of Forestry on the other hand are mainly based in Christchurch. These advisors are seen as lacking a good knowledge of local conditions. The second example which the Tables highlight is the case of advice on environmental land use issues. Land users wanting advice on issues like land covenants and the protection of environmentally sensitive areas consult the Department of Conservation or the Queen Elizabeth II National Trust rather than private conservation groups. The Conservation Department has a network of district offices in the rural sector and the Queen Elizabeth II National Trust has local representatives who can be called on to discuss environmental issues. Conservation groups such as the Maruia Society only have a small permanent staff and their branch committees are usually based in centres of population rather than in rural areas. Land users are therefore more willing to consult their local Conservation Department representative rather than having to make an appointment to see Maruia or Royal Forest and Bird staff in Christchurch.

On land use issues like grasslands management and the protection of environmentally sensitive areas land users are able to consult any institution they like. But on activities like mining exploration and timber felling the land user is compelled by law to consult particular Government institutions. These Government agencies have been given regulatory powers so as to supervise how land use activities are to be carried out. The effect of these regulatory powers on farmers has been less than for mining and development

land users. Most of the land use activities that farmers undertake are small scale and do not cause major land disturbance. As a result farmers are able to go ahead with their projects without formal approval. The only projects which farmers require formal permission for are those which are going to cause major soil disturbance (eg building construction), or are going to require a water right (eg irrigation programmes).

Farmers are not greatly restrained by the need to consult Government agencies, but other land users such as miners and residential developers are required to gain official approval from central and local agencies for most projects they undertake. The reason for this is that the developments they undertake are usually major projects which could affect drainage patterns and soil stability. New rural subdivisions for example require official planning approval from both the local Council and the Catchment Board, as the development could cause an erosional problem or could affect an area's water quality. This higher level of formal consultation for mining and development companies can be seen by comparing the consultation rates between Tables 7.1 and 7.2 for the Government regulatory agencies, (eg 90% of mining/ development respondents consulted the local Council before a project compared to 25.2% of farmers).

The Tables also show that each group of land users has their own specialized institutions that they consult. Farmers have the Ministry of Agriculture and Fisheries while the mining sector has the Ministry of Energy. These two Ministry's are important for their own group of land users

but they do not rate highly for other groups. This can be seen by the fact that 50% of the mining/development respondents consulted the Ministry of Energy but that none of the farming respondents had asked for the Ministry's advice on land use matters. This shows that the material some institutions provide is only relevant to certain groups of rural land users.

The issues raised in this first section can be summarized into four general points. First, when land users are wanting technical advice on new land use activities they prefer to consult institutions which have representatives at the local level and which have local experience. It does not matter if the institution is a State or private organization, what the land user is looking for is an institution which has experience and in which they can put their trust. The second point which the discussion has raised is that land users consult local and regional Government agencies more frequently than they do national ones. Land users consider the Local Council or the regional Catchment Board is the first Government agency that they should consult. The third point that has been brought out is that land users which are involved in major projects have higher consultation rates with Councils, Catchment Boards etc than do farmers who undertake projects which seldom require official approval. The final point which this section has raised is that each group of land users (farmers, miners etc) have their own specialized institutions which they consult for planning and technical advice.

In What Ways Have Land Users Been Affected By Institutional Advice And Regulations

The aim of this second section is to see what these institutions have actually achieved, in terms of changing land use practices and in shaping the rural landscape. To find this out the farming and mining/development questionnaires asked the respondents to say how the institutions they consulted had influenced their land use decisions (eg what consultancy advice they took, what land use regulations they had to follow). In this way it was possible to see what formal guidelines and consultancy recommendations are implemented on the ground.

The responses to this question on how land users are affected by institutions showed that there were four major areas of land use activity that institutions have had an influence on. The first area that institutional actors have had an impact on is the level of erosion protection work that is carried out on properties. Catchment Boards and Councils have had a major role in the promotion of river bank and wind erosion protection schemes. They have been able to regulate some of these changes but for the most part the increased level of protection is the result of consultation. The second land use activity that institutions have influenced is the way that land users rehabilitate their land after major projects (eg mining, tree felling). The Ministry of Energy, Catchment Boards, and the Local Councils have been able to institute regulations so that the land is restored to a productive condition. The third area of land use activity influenced by

institutions is the way that land users manage their properties. Many land users have allowed themselves to be guided by consultancy firms as to what the most appropriate land management practices are for their area. The final area of institutional influence has been over the way that land users protect environmentally sensitive areas of their property. Each Council has in place conditions for protecting sensitive areas when residential and industrial developments take place. And on farming land the Local Council and the Department of Conservation have used a mixture of regulations and consultation to have sensitive areas placed into covenants or to be managed so that the area's value is not lost.

The rest of this section will be used to investigate more fully the four areas of land use activity that institutional actors are able to influence. The first area to be looked at will be the influence that institutions have had over the level of erosion protection work that is carried out on rural properties. As was outlined in the last paragraph the two major institutions which have affected land user behaviour over erosion protection work have been the regional Catchment Boards and the Local Councils. The Catchment Boards have had an influence over all land users while the Local Councils have impacted mainly on mining and development companies.

The influence of the two Canterbury Catchment Boards and the Local Councils on the level of erosion protection work has been significant. Before the Catchment Boards were established in the 1940's the Canterbury rural sector (particularly the high country) was suffering from river and

hill slope erosion. There was no co-ordinated plan to stabilize the problem and individual land users were not prepared to undertake the expensive protection schemes that were needed. Since the Boards were established 40 years ago the Canterbury rural landscape has been transformed. The majority of Canterbury farmers have undertaken some form of protection work to preserve their land against erosion, (according to the North Canterbury Catchment Board). The schemes have taken the form of river protection works (eg stopbanks, tree planting along the river), and the planting of shelterbelts and woodlots (to prevent hillslope erosion and to lower the affect of wind erosion). Nearly all the schemes that Canterbury land users have undertaken have involved the participation of either the North or South Canterbury Catchment Boards. In the majority of cases the Catchment Boards are consulted because of their technical experience in developing schemes and the financial assistance that the Boards can offer (sometimes up to 70% of the projects cost). Only in a few situations have the Boards resorted to the use of regulations to force land users to undertake erosion protection work.

The Boards have succeeded in promoting the concept that land users must undertake erosion protection work so as to preserve their land. Over 40% of the farmers questioned and 70% of the miners/developers questioned have taken up the Board's advice on how their properties should be managed so as to prevent land deterioration. The consequence of this advice has been that most farmers (even on the plains) have put between 5 and 15% of their properties into shelter belts, river protection schemes, or into forestry blocks.

And on mining/quarrying sites the effect has been that the tailings and the site are managed so as to reduce any possible long term erosional affects (eg by tree plantings or by re-vegetating exposed surfaces). The result of these protection schemes has been that many erosion sensitive areas in Canterbury have been stabilized. Canterbury's rivers and streams now have a comprehensive system of protection schemes, and many of the more wind prone areas have a system of shelter belts. A certain amount of this work would have gone ahead without the Boards but not to the same degree.

The second land use activity which institutions have had an influence on is land rehabilitation. Land rehabilitation has to be undertaken when a quarry is closed down, when a woodlot is felled, or after a major new development project has been completed (eg a new rural subdivision). In each of these three situations the land user is directed to follow set regulations on land restoration. A number of State institutions have this power to regulate land restoration guidelines. They include the Ministry of Energy for mining projects, the Local Council, and the regional Catchment Boards. The impact on Canterbury land users has been substantial. No longer can former mine or forestry sites be left in a derelict state. These sites have to be rehabilitated so that they can again be used for some productive activity. The Ministry of Energy, Councils, and Catchment Boards have this authority over the land use outcome as the miners, foresters, and developers have to enter into binding agreements as to how the land will be restored.

The guidelines for quarry and forestry rehabilitation in Canterbury are particularly severe as the Local Councils and regional Catchment Boards face a major wind erosion problem. Abandoned quarries and old timber plantations can suffer from Canterbury's Nor'westers if they are not properly re-vegetated and the quarry sides are not battered to a reasonable angle. As a result of the guidelines on land rehabilitation Canterbury's numerous quarries are being restored to a condition where they can be used for other productive purposes (eg farming, recreation), once the gravel has been extracted. And on old timber land the land users have been compelled to restore the land to an agriculturally productive state. This has meant that land users have had to remove the stumps and re-vegetate the land with pasture, or re-plant the area with a new timber crop. The result of this institutional influence on land rehabilitation has been that current forestry and quarrying ventures do not leave long term visual scares on the Canterbury landscape.

The same situation has occurred for industrial and residential site rehabilitation. Canterbury developers have had to re-vegetate their sites as soon as is practical after construction. The land is usually stabilized by tree and grass plantings. But on a number of occasions major earthworks have also had to be undertaken so as to reduce the slope angle for the buildings and surrounding area. These rehabilitation measures have reduced by several years the time it takes for the erosion run off levels to return to normal.

The third area of land use activity which was

identified in the questionnaire as being affected by institutional influence was the area of land management. Most Canterbury land users consult at least one of the many rural consultancy organizations. The land users said in their responses that they accepted much of the technical advice that the local managers of these firms provide. To illustrate the influence of consultancy firms two practical examples have been selected (The Farm Forestry Association and the Ministry of Agriculture and Fisheries). The examples will look at the land users who asked for their advice and see how fully the land users have taken up their suggestions. In the Farm Forestry case 14 of the 107 farmers questioned had consulted this Association. These farmers wanted technical advice on planting techniques, tree types, and tree management practices. The local Farm Forestry representatives have developed forestry plans for the farmers. The plans set out the type of trees they should plant, where they should be planted, and how they should manage the crop over its lifetime. 12 of the 14 farmers who consulted the Association said that they accepted the planting and management package that the Association gave them. This has meant that the Association has been able to get its ideas on two tier shelter belts and hillslope block plantings introduced into the rural sector.

The second consultancy example to be looked at is the Ministry of Agriculture and Fisheries. The Ministry is used as a consultancy firm by nearly 30% of Canterbury farmers. Ministry staff are consulted on a range of activities from pasture management to soil testing. The majority of the advice is of a technical nature and has direct relevance as

to how the property is operated. A sizeable number of the farmers questioned said that they accept the Ministry's advice without much hesitation. This has meant that the Ministry has been able to introduce new pasture management techniques to a large number of Canterbury farms. The Ministry has played a significant role in introducing new drought resistant grasses to Canterbury and in getting farmers to adopt more appropriate cropping and pasture techniques. An example of this would be the way that the Ministry has persuaded farmers in wind prone areas to change their grazing patterns and their crop varieties so that a permanent vegetative cover is left on the topsoil.

These two examples have shown that consultancy firms in Canterbury have had a significant influence on introducing new land management practices to the province. The examples showed that institutions were able to get farmers to bring in stocking plans which were better suited to the land and to get them to introduce new grass, crop, and tree varieties. The examples did not mention the influence of consultants on mining companies or on residential/ industrial developers but even on these land users there can be a substantial input from consultants. As Table 7.2 shows, 6 of the 10 mining/development respondents used town planning consultants and 2 used agricultural consultants. These consultants have a major influence on the projects design and on the layout of the site.

The final land use activity which institutions have had an influence on is the way that land users protect environmentally sensitive areas of their property. By a mixture of regulations and consultation the Department of

Conservation, Queen Elizabeth II Trust, and Local Councils have been able to protect environmentally sensitive areas in Canterbury. A sizeable proportion of Canterbury's farmers have had negotiations with the Department of Conservation or the Queen Elizabeth II Trust on the protection of sensitive areas. The level of contact has been less on lowland Canterbury farms than in the high country as the land has been worked for over a century and only small pockets of native bush remain. The effect on the high country and some hill country areas has been significant. Sizeable areas have been put into Conservation Department or Queen Elizabeth II Trust land covenants. These covenant areas are usually established so as to protect a particular plant or animal species. Covenant areas are spread across Canterbury, ranging from a covenant area near Hawarden which is protecting a native duck reserve to one at the head of Akaroa harbour which is preserving native bush remnants. A number of the farming respondents said they were at present negotiating covenants with the Department and the Trust.

In a few cases the Department has been able to regulate that land be set aside or that burning be stopped so as protect the native characteristics of the area (eg on Crown lease land), but on the whole the change in Canterbury land users towards environmental protection has come through the consultation process and the incentives that are offered. The Department will pay the pest destruction, fencing, and maintenance costs on the land, while Local Councils are prepared to reduce the rating charge on the area set aside. Land users said that the incentives have allowed them to undertake projects to protect these

environmental values. The majority of land users would have attempted to protect these values anyway but they can only do so much, particularly when they are suffering financial hardship through drought and low stock prices.

The environmentally sensitive areas which have been threatened by residential or industrial developments have been protected to some extent by the reserve contributions that developers have to give the Local Councils. This reserve contribution is a regulation under the 1974 Local Government Act which states that developers have to give a monetary or land contribution to the Local Council so as to put in place new reserves and social services (up to 7.5% of the lands value for residential projects). Councils are able to use this clause to make developers set aside areas of environmental value. The contribution may not be big enough to secure the whole area that has environmental value but it is able to secure part of it. An example of how this works can be seen in a residential development at Little Akaloa. The Akaroa Council required the reserve contribution to be the area adjacent to the shore line so that coastal plants and species could be safeguarded permanently. This example shows that Councils have an effective means of protecting areas of environmental value from complete destruction.

Canterbury Local Councils and the Department of Conservation have been able to use consultation and regulations to protect a number of environmentally sensitive areas. Canterbury now has a network of areas which are permanently preserved (eg they are protected by land covenants or are under Council control). The Local Councils and the Department of Conservation have also succeeded in

encouraging land users to take a more preservation minded attitude towards land management. A large number of farmers now take the view that they should retain the remaining pockets of native vegetation on their properties. This change in attitude is the result of increased environmental awareness and advice from consultancy agencies, such as MAF. The Ministry and other consultants say that native bush can be an economic benefit to a farm as it provides shelter for the stock and it is a good way of stabilizing gullies. No longer is it seen simply as aesthetically pleasing.

This section on institutional influence over land use activities has highlighted two important issues. First, it has presented the land user perspective on rural decision making. It has shown that land users believe that they are mainly affected by local institutions and by the regional offices of national institutions. Most land users do not appreciate that the local managers they consult have to work within a national structure. To the average land user the decision making process ends at the local institution. The local institutional manager is seen as the person who gives out the planning consent or provides the technical advice. The political structure behind the consent process is not considered. And the national organization which provides the local manager with information is not thought to be important.

The second issue which the discussion has brought out is that local institutions are a major actor in rural decision making. The case studies in earlier chapters have tended to emphasize the role of central institutions and the power that legislation has to influence decision making. The

discussion in this section has counter balanced this emphasis as it has shown that land users are influenced predominantly by local institutions. And that to get national policies adopted requires a well organized and motivated network of local representatives. Above all this section has shown that close links exist between the land users and the local institutional actors.

How Do Land Users Feel About Taking Institutional Advice

The aim of this third section is to see how land users feel about taking institutional advice and having to work through set planning procedures. The section will also attempt to show which approach (eg consultation, regulation) has proved to be the most successful in gaining land user confidence.

New Zealand land users prefer an informal approach when they are negotiating or consulting with institutions. They feel more relaxed in a situation where there are few set guidelines and where each side is able to make compromises. This informal negotiating approach has proved successful for consultancy firms when they want to promote a product and for Government Departments which are trying to get land users to adopt certain land use practices. The approach has been successful as the land user has a say in how project is to be undertaken.

Land users are not keen on being told that they have to follow a set course of action. Institutions which take no notice of local conditions and land user views will find that they will not get a positive response from the land

users. Private institutions which do not demonstrate a new product (eg a new grass variety or tree variety) will not gain very high sales. The same is true for Government agencies which attempt to direct the way land users carry out a land use activity. Even when a Government agency has regulatory powers it must consult with the land users so as to explain how the policy will be implemented. When Government agencies do not undertake negotiation the land users who are going to be affected feel pressured into taking a certain course of action. This makes the land user unwilling to co-operate with the institution. The result of this can be that the land user resists undertaking the activity and the Government agency may have to take the land user to court.

Land users distrust institutions which attempt to impose their views by using regulations as they see this as infringing on their property owning rights. In New Zealand there is still a strong belief that property owners are entitled to manage their land in the way they see fit.

This resentment is clearly seen by the land user attitude towards the formal planning process. Land users feel that the system of gaining institutional approval for projects is weighted against them. They believe that the institutions providing the consents (Councils, Catchment Boards, Planning Tribunal) have guidelines which are anti-development. They feel that the constraints placed on them are overly stringent and the extra costs that these conditions put on the projects makes many of them unviable. This is particularly true for mineral extraction projects and for building developments (residential and industrial).

In the mining case the extra costs of conservation practices have been estimated by the New Zealand Mining Association to cost 25 million dollars a year. These imposed conservation conditions are resented by the companies.

The second reason why New Zealand land users resent using the formal planning process is the length of time that applications take to process and the cost that is involved in undertaking the application. The cost of getting legal advice on how an application should be presented to a formal hearing can be very expensive for a small land user. And the costs of delay can also be quite considerable. Department of Conservation authorization to undertake new developments on lease hold land can take over a year to get depending upon the project. These costs and delays have made land users weary about using the formal planning process. This was clearly shown in the early part of Chapter Four where it was stated that less than a quarter of the farmers questioned had been involved in the formal planning process when they were undertaking new developments.

Most institutions have appreciated that land users dislike formal regulatory controls so they have attempted to be more flexible and mix regulation with consultation and financial incentives. Canterbury land users have been responsive to this approach as can be seen by their acceptance of Catchment Board farm plans and Queen Elizabeth II Trust land covenants. As was outlined in the Catchment Board case study in Chapter Five the Boards have used voluntary farm plans to get erosional protection work carried out rather than using formal regulatory powers. The farm plans involve the Board informally negotiating with the

farmers and using financial incentives to get them to carry out particular erosion protection activities. The use of financial incentives has also been used successfully in Canterbury by the Queen Elizabeth II Trust to get land users to set areas aside for perpetuity. Institutions which use financial incentives as well as consultation are able to get land users to accept their advice on land use actions.

To summarize these points it is possible to say that New Zealand land users feel most comfortable with institutions which take a flexible attitude and which are prepared to consult with land users before new policies and products are introduced. Land users are willing to accept regulations if they are fully discussed before they are implemented and if there is some form of financial incentive to be gained from the project. New Zealand land users are rather skeptical about using the formal planning process. They see it as weighted against them and as a long and expensive way of obtaining permission to undertake new land use projects. They prefer informal agreements worked out through compromise on each side.

Conclusion

The issues covered in this section and in the two earlier ones have highlighted three important aspects about rural decision making. The first is that New Zealand's rural decision making process is based mainly on informal negotiation. A legislative framework does exist but it is only a back up for when consultation has broken down. The use of regulations and the formal planning process is not a

popular option for New Zealand land users. The second point that the discussion has raised is that local institutional managers play a major role in influencing land use activities. Local managers are trusted by the land users as they work in the local area and they know how policies and products should be adapted to suit local conditions. The final point which has been raised in this chapter is that private institutions have a significant effect on what land use activities are carried out in the rural sector. Private institutions are able to influence land users as they advise them on a range of issues from crop selection to land management practices.

This chapter has highlighted the institutional actors which land users consult and which ones they prefer to work with. It has also presented a ground up view of rural decision making, whereas the two previous chapters studied examples which looked at rural decision making from the top down. It is important to have this contrast in views so as to get a balanced idea of how the process operates. This chapter and the last two have also been used to present practical examples of how the rural decision making process has affected the rural sector. These examples have shown that a rural decision making framework does exist and that it operates in a manner similar to that illustrated in Figure 4.1. The only issue which has not yet been dealt with is how the process will operate in the future. This will be tackled in the next chapter. The purpose of the chapter is to explain how the process will be changed by the Local Government Reform and the upcoming Resource Management Law Reform.

Chapter Eight

Rural Decision Making In The Future

The New Zealand rural sector is in a period of major change. The most significant of these changes is the restructuring of Local Government. The restructuring is likely to cause the centralization of rural services and the tightening up of land use regulations. The other major change which will affect the rural sector is the reform of New Zealand's resource legislation. The resource reform will remove some of the privileges that land users possess and will increase the influence that Government agencies have over their actions. Both these changes will have a significant effect on the rural decision making framework. Land users will be working through new regulations and they will have to consult different institutions.

The aim of this chapter is to outline how these changes will affect the rural decision making framework. The two changes will be looked at separately as they affect land users in different ways. The Local Government restructuring will affect the services that are provided to land users while the Resource Management Law Reform will have a significant influence on the regulations that land users have to work by. The discussion on these changes will include some practical examples of how the process may work in the future. The views put forward in this chapter are drawn from the land users and institutional managers who are going to be affected by these reforms.

The Impact Of The Local Government Reform On Rural Decision Making

From November 1st 1989 a new system of Local Government will operate in New Zealand. The new system will have a two tier structure. The smallest units will now be District Councils. These new authorities are considerably larger than the old Councils. Most of them combine at least two of the old Councils. Above these District Councils are new Regional Councils. The Regional Councils have been given wide ranging powers and they will be taking over many of the services that are at present being carried out by semi-independent Boards, such as pest destruction, noxious weed control, river control, and soil protection. They have also been given responsibility for regional and maritime planning. The Regional Councils have been given these roles but in most cases they will delegate the day to day running of the services to the District Councils, and to the new Rural Services Committee. The Regional Councils will be more involved in the policy development side of rural planning rather than the actual execution of the programmes.

A major aim of the restructuring has been to make Council services more efficient and to save rate-payer funds. To do this there may have to be a centralization of services. If the centralization goes ahead then there will be a reduction in the number of local representatives and in the level of service that rural areas will receive. The centralization of services would also remove the local input, as the services would be administered from a major centre. The centralization could therefore break the

longstanding links that exist between the land users and the Local Government institutions (Catchment Boards, Nassella Tussock Board etc).

The amalgamation of Local Authorities will affect the rural sector more than the urban community. The best way to illustrate this is to look at two examples; the North Canterbury Nassella Tussock Board and the Amuri Pest Destruction Board. At present these two Boards operate out of small North Canterbury towns (Nassella Tussock at Amberley and the Pest Destruction at Culverden). The Boards have a local work force and the majority of their committee members are drawn from the local area. From November 1989 this will change. Instead of small independent Boards serving their local community there will be one regional Rural Services Committee with control over all rural services. The Committee will be delegated authority from the Regional Council to handle pest destruction and noxious weed control. The Committee will be concerned with saving rate-payer funds so it is expected that there will be a centralization of services to Christchurch and that a number of the regional centres will be closed down.

The first change which North Canterbury land users will face is that they will have to consult officials in Christchurch when they want to get authorization for new pest and weed destruction programmes. The power to make decisions on pest and weed control projects is being shifted from the local Boards to a central agency in Christchurch. After the reorganization Christchurch will become the administrative centre for most rural services in Canterbury. The creation of a central office to handle rural services

will make the decision making process more formalized. Land users will have to follow formal procedural guidelines when they are applying for pest and weed destruction work to be carried out on their properties.

Not only will the authorizing officials become more centralized but so will the staff who carry out the rural services. The general view from the land users and the local officials is that the Rural Services Committee is likely to phase out the small local offices and centralize the staff to Christchurch. When there are rural projects to be undertaken work gangs from Christchurch will be sent out.

The closure of local offices and the centralization of decision making authority will have a major affect on the willingness of land users to co-operate with the new Rural Services Committee. Land users will not have the same level of confidence in a service if it is based in Christchurch. For more than forty years land users have had an input into how the rural services are to be carried out. The system of local Boards has made land users more prepared to accept change. Now that this local input is to be removed land users will become more skeptical about taking institutional advice. The confidence that land users have in the present local managers will be lost if they are centralized to Christchurch. Land users are not keen on accepting the advice of outside officials as they want people who have a good knowledge of local conditions.

The local nassella tussock managers are particularly concerned about this, as they believe land users will not be as willing to undertake eradication programmes when they are controlled from Christchurch. They believe their success in

controlling nassella tussock has been the result of close contacts with the land users. The Board has been part of the North Canterbury community since 1946. The Board has been able to built up a wealth of experience and its managers have been able to influence what land management practices are carried out. They have helped to stop the yearly process of pasture burning as the local managers have shown that this actually aids the germination of nassella tussock seeds. The Board's staff have also had success in encouraging farmers to plant a tree crop on badly affected land as the trees can smother the nassella. The final area of Board influence has been over pasture management. The Board has promoted the use of aerial spraying to control weeds and the need to keep a permanent vegetative cover so that the land is stabilized and the nassella can not get a foothold.

If the Nassella Tussock Board services are shifted to Christchurch then it will be harder to influence these land management practices. Land users believe that Christchurch based representatives will push national programmes which do not reflect local conditions. The policies that are promoted will no longer reflect local demands as was the case under the Board system.

The same land user reaction is likely to occur if the Amuri Pest Destruction Board is centralized to Christchurch. The reaction against Pest Destruction Board advice could even be stronger than for the Nassella Board. There is a general view among Canterbury farmers that the Pest Board centralization will create a strong central pest agency but a weak regional structure. Canterbury farmers have already

seen the number of Boards drop from 20 (in 1967) to 8 so they know that there will be reductions in local staff and services. What annoys farmers particularly about the restructuring is that they will have to pay higher yearly rates but lose their local input when the Boards are abolished.

Farmers feel quite antagonistic towards the idea of a centralized structure as they see the creation of a permanent office in Christchurch (replacing voluntary local staff) as adding an unwarranted cost to their rates. They also see it as imposing a formal structure to pest destruction in Canterbury. The farmers who have been questioned said that they are likely to lessen their level of contact with pest destruction staff if the centralization goes ahead. This could reduce the level of influence that pest destruction managers have over land management practices. The institutional managers will still be consulted by land users on pest destruction problems but not on more general issues as was the case in the past. The consequence of these changes will be that pest destruction managers shall find it harder to encourage land users to undertake programmes such as tree planting and the introduction of new rotational grazing practices.

The amalgamation of these Boards under the control of the new Regional Council will weaken the influence that their managers have over land users. The loss of local input into policies and the centralization of services and personnel will break the longstanding links that have existed between the Boards and the land users. The move to service efficiency will in the long term be a negative

reform as Local Government officials will become remote and their level of personal contact with land users will be decreased. Instead of strengthening the role of Local Government in rural decision making the move may in fact harm their position.

The Reform Of The Local Government Planning System

The discussion has so far concentrated on the service restructuring that will result from the Local Government reform. There is however another aspect to the reform. The reform will also create a new planning system. The present fragmented planning system will be replaced by a single stage framework. Instead of requiring approval from a number of Government agencies to undertake a land use activity the land owner will only require a Council consent.

The new planning system will be controlled by the District and Regional Councils. For the first time these Councils will have control over all land use planning (even mining to a certain extent). They have this planning authority as the Councils have inherited the regulatory powers that the old Boards had (eg Catchment, Drainage) and they have been delegated new resource management powers from Central Government. These powers will allow the Councils to draw up comprehensive land management schemes. These schemes will touch on most areas of land use activity and will draw land users into the formal planning system more frequently than in the past.

The Local Government planning reform will have a significant impact upon land users. The freedom that land

users presently have to make decisions on the removal of native bush, on the construction of earth works, and on the location of new buildings will become more constrained than in the past. The reform will give the new District and Regional Councils a stronger legal power to set development guidelines and to police how the land use activities are carried out. The reform has also widened the area of responsibility that Councils have. Central Government has given the new District and Regional Councils a greater role in resource management. The aim behind this delegation of authority has been to give Councils greater control over rural land management. The major area which politicians want Councils to control is the protection of New Zealand's remaining wilderness areas. Under the present system land owners are able to remove areas of native bush from their properties and the only Council input is on the way the land is to be restored. The reformed planning system will change this. Councils will be able to put in place guidelines so that any disruption to native bush or to environmentally sensitive areas will require a Council consent. This should give Councils a greater say in how land use activities are undertaken.

The overall impact on rural decision making of the Local Government reform will be mixed. For the first time Councils will have total control over regional planning and they will have the legal authority to back up their decisions. This should go a long way towards protecting the Canterbury landscape. Environmentally sensitive areas will be protected under this new system and the rate of native bush clearance should be reduced. These are the positive

points of the reform, but there are also some negative ones. The major one is that the informal links that presently exist between the land managers (level one of the decision making model) and the local/regional institutions (second level) will be transformed into formal ones. Land users will not be as keen to work in this new planning framework as there is little flexibility in how land use decisions are to be reached. The reform will also amalgamate the previously independent Boards into one centralized Council system. This is likely to break the traditional contacts that exist between the land users and the Local Government managers. As a result of this the Local Government managers will have less influence over which land use activities are carried out. Because there are a number of negative and positive points about the Local Government reform it is impossible to say with certainty what the final affect on rural decision making will be.

The Impact Of The Resource Management Law Reform On Rural Decision Making

The Resource Management Law Reform process was begun in early 1988 and is the first comprehensive review of the laws which govern New Zealand's natural and physical resources. The result of the review process will be a Resource Management and Planning Act (to be introduced to Parliament in late 1989). The new Act will replace the existing mining, land use, and pollution legislation. It will create a straightforward planning process which will be able to deal quickly and efficiently with land use

applications. The new planning process will remove the problem of overlapping authority between Government institutions and it should cut back the delays in application processing.

The review and the new law will affect the four levels of rural decision making (Planning Tribunal, central institutions, regional/local institutions, and land users). It will do this as the Act is going to re-model New Zealand's current mining, land use, and environmental legislation. The new Act will introduce a modified system for planning consents and it will establish a number of clear land use goals. The affect that the Act will have on the decision making process can be discussed in some detail as the draft bill has been nearly completed and the Ministry For The Environment has published a number of working papers on this issue.

The major aim of the new Act is to ensure that there is a balanced approach to the management of New Zealand's natural and physical resources. New Zealand's resources can not be seen as exploitable. They have to be properly managed so that future generations can use them. To do this the new planning system created under the Act will have as its central goal the concept of sustainability. Resources are to be used for a sustainable return rather than a one off benefit. The new system will also have a strong environmental base. Any land user who gains authorization for a project under the new system will have to minimize the adverse social, physical, or environmental affects of the project. The land user undertaking the project will also have to protect any rare flora or fauna within the project

area.

Another aim of the Act is to promote public participation in the planning process. This will mean that affected groups and interested parties (eg lobby groups) will have a greater input into the decision making process. This will be particularly significant in the mining case. Land owners will be given a greater say as to what mining development occurs on their properties and the Local Council will be given a more formal input into the licence conditions.

When the Act is past into law (early 1990) there will be a major reorganization of decision making authority. The new structure will clearly establish what roles central, regional, and local authorities will have. This will remove the present confusion caused by overlapping authority.

The Planning Tribunal will be given greater powers. It will be able to issue compliance orders (similar to a legal injunction). This shall mean that the Tribunal will be able to stop land use activities proceeding. The Tribunal will also be given the authority to issue restitution orders. These orders can be used to recover land rehabilitation costs (eg when a Government agency has had to clear up a pollution problem). As a result of these changes the Tribunal will become a more important actor in rural decision making. It will be able to stop land users from undertaking projects and it will gain the authority to compel land users to undertake restoration work on their land.

The position of Government Departments and Parliament within the decision making framework will also be altered.

The Crown is delegating much of its resource management control to the regions (except in the area of mining). This is part of the Government's long term plan of making Government Department's policy advice institutions rather than administrating bodies. The major role that the Crown will have in this new system is to establish national resource management strategies and to supervise that these policies are being carried out by the new Regional and Local Councils.

The Crown will still set the broad national goals for resource use by passing legislation and by getting the various Departments to set down resource guidelines (eg The Ministry For The Environment setting environmental guidelines for projects). This means that Government Departments and Parliament will still be able to direct the policies that the new Regional and District Councils will put in place. The major difference is that the consent powers that certain Departments presently have are to be delegated to the localities. This will mean that issues shall be settled at the local level, rather than having them progress up the decision making hierarchy. The only central institution which will keep a consent authority will be the Ministry of Energy (and its successor when it is phased out over the next couple of years). The Ministry will retain responsibility for allocating mineral and energy resources. The mining application process will be changed however so that the Local Councils and the public will have a greater say in the conditions which are to be placed on the consent.

By delegating resource management control to the Regional and District Councils the Government has attempted

to devolve the decision making power to the provinces. This delegation of power will be brought in once the Local Government reform has been completed and the structures are in place to take on the extra responsibility.

The new Councils will not have a free hand in issuing planning approvals as they will be bound by national guidelines and by Regional Resource Management Policy Statements. These general policy statements will be worked out by Regional Council officials and through public consultation. The broad statements will act as the basis for more detailed management plans (eg river catchment plans) and for the Regional and District schemes. The plans and schemes will set down the standards by which planning applications are judged. The plans and schemes are also to be responsive to community demands rather than the present situation where the schemes are mainly based on the recommendations of town planners and technical consultants.

The impact of the reform on land users will vary. The most significant impact will be on mining land users. The community will have a greater say in the environmental guidelines and the restoration standards that mining companies have to abide by. They will have this chance as the mining application will have to go through the Local Government planning process before the Ministry makes its final decision. Local Councils will be able to make assessments on the appropriateness of the project and on the conditions which should be attached to it. The Act will also give land users a right of consent for prospecting and mining activities. Developers will therefore have to reach a negotiated settlement with the land owner before the

application is proceeded with. The reform will also compel the Ministry to draw up a set of standards by which applications will be judged. These new standards and the Council input will restrict the area of mining operations and will compel miners to work by stricter environmental guidelines.

Other land users (farmers, foresters, developers etc) will be affected in a less dramatic way. They will still be operating through the Local Government system for their construction, water use, and tree felling consents. The major change they will see is that the scope of land use activities that they shall need approval for will increase markedly. The reform will force land users to gain formal approval for many of the smaller land use activities which they did not previously require a consent for. The new sustainable approach and the move to environmental planning conditions will also have a dramatic affect on land use activities. It should go a long way towards safeguarding endangered species and in preserving the remaining native lowland ecosystems.

This discussion on the Resource Management Law Reform and on the Local Government Reform has shown that the New Zealand rural decision making framework is becoming more localized. The decision making authority is being delegated to the Regional and District Councils. These Councils have been dramatically restructured so that they have authority over all land use activities. The two reform processes have also attempted to improve the level of environmental awareness in land use decisions. The consents which are issued from 1990 onwards will be based on a sustainability

idea and on the view that environmentally sensitive areas should be preserved. This concept will apply to projects which range from major mining applications down to small building consents. In the long run this land management approach will have some major consequences for the way that land use activities are carried out. And in the short term there will be a major re-organization of the Government institutions within the decision making framework. At the local/ regional level the majority of the Local Government institutions will be abolished and their roles will be absorbed into the new Regional and District Councils. At the central level the decision making power of the Departments will be diminished greatly but they will still retain the policy creation role. These changes can not help but have an affect on the private institutions within the framework. Overall the rural decision making framework will become more formalized as a result of these reforms.

Rural Decision Making, Now And In the Future

The New Zealand rural decision making framework is a complicated process to understand as it combines formal regulations and informal negotiations. Even with the Local Government and Resource Management Law Reform there will still be a major role for consultation and informal bargaining. This informal component is not unique to New Zealand but its level of importance is. Throughout the thesis there have been examples which have shown that New Zealanders prefer an informal planning structure, where land use decisions are worked out by consultation between land

users and experienced local institutional managers. The effect that informal consultation can have has been demonstrated in the State and private institutional case studies throughout this thesis. The studies have shown that suitable compromises can be worked out between the parties involved on almost every occasion. And that legal remedies are there only as a back up for the rare occasion when consultation has failed.

The thesis has also illustrated a number of other points about New Zealand's rural decision making framework. The first of these is that private institutions have had a considerable impact on land use actions, this is in spite of having no formal powers to do so. Private institutions have had this input through the advisory services that they offer land users and through their links with Government agencies and select committees. The case studies in Chapter Six have clearly illustrated that private institutions and their local managers are able to affect the actions that land users take and the regulations that they have to work by.

The second point which the thesis has raised is that individual managers (both State and private) have had a major role in influencing land use activities. New Zealand has a decision making framework which allows individual managers to have a say in how decisions are made, particularly at the local level. Being a small country Government Departments and private institutions can not afford a large management hierarchy, so there has been a delegation of decision making authority down to the local managers. This has given local managers a crucial role in how land use decisions are made. They can influence what

information reaches the land users and they can make recommendations on loans and project applications. These ways of influencing land users are similar to those outlined in Chapter Two's discussion on Managerialism. The New Zealand decision making framework closely resembles that outlined in Chapter Two, except that the influence of institutional managers on land users was somewhat exaggerated.

The final issue which the thesis has raised is how the decision making framework has changed over time. The discussion has shown that it is impossible to speak of the rural decision making framework in terms of a constant structure as the actors which make up the framework are continuously changing. New actors are constantly being added and old ones are being restructured or abolished. Not only do the institutions change but the political environment within which they operate also changes. Over the years the legislation which controls rural decision making has been changed from one extreme to the other (eg from developmentally minded to an environmental stance). This present chapter has clearly illustrated this point. The reform of resource legislation and the Local Government system will change the institutions which are consulted and the way that land users have to go about applying for planning consents.

Conclusion

The thesis had two major aims. The first of these was to show that a decision making framework does exist and the

second was to demonstrate how the process operates. These two aims have been accomplished. The study has presented a theoretical model of decision making in New Zealand and has backed it up by presenting practical institutional and land user examples. The examples have demonstrated how the decision making process operates and which institutional actors are the most commonly consulted.

The decision making process which was uncovered by the study has revealed a number of interesting facts about the role of institutions in New Zealand, particularly the influence of Local Government and private institutions. The study has also shown the power of informal consultation as a way of influencing land use actions. These findings on rural decision making have helped to clarify what has been an understudied area of research. The study has established that rural decision making has a framework and that institutions have set roles in the process. Now that a generalized model of rural decision making has been developed future studies will be able to investigate in more detail how the linkages between the rural actors operate.

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Appendices:

APPENDIX ONE

Land Preservation Questionnaires

Rural Land Preservation Survey (Farm Manager Section)

1. Please specify the type of farming you undertake by circling the appropriate category.
 (a) horticultural (b) dairying (c) arable / cropping
 (d) grazing (sheep, cattle etc) (e) other (Please specify) _____
2. What is the total area of your farm in hectares _____.
3. What is the nature of your farm. (Please circle the appropriate category).
 (a) extensive lowland (plains) (b) intensive lowland (plains)
 (c) hillcountry (d) wetlands (coastal/lake/river wetlands)
 (e) hillcountry (f) other (please specify) _____
4. (a) How long have you been farming _____ years.
 (b) How long have you been on this present property.
 _____ years.
5. How is the farm operated. (Please circle the appropriate category)
 (a) As a full time venture (b) As a part time venture
 (c) As a small scale hobby farm (d) As part of a larger organization, business, or Government Department.
6. What is the main form of land tenure on your farm (Please circle the appropriate category)
 (a) Freehold (including mortgaged freehold) (b) Partnership
 (c) Public company (d) Crown lease (e) private lease
 (f) Other (Please specify) _____
7. Do you consider that some part of your farm should be set aside (preserved) so as to protect the natural landscape and the flora and fauna. Yes _____ Undecided _____
 No _____ (Please tick a category and explain why)

8. What do you consider is meant by land preservation. _____

9. How much of your property would you consider falls under concept of preservation. _____ %
10. Has your concept of land preservation changed in the last 10 years. If so could you explain what things have affected your attitude, (eg publications, television).

11. Has your ability to undertake land preservation been affected by the rural recession. _____

12. Were you more willing to consider preserving sections of your property in the early 1980's when farm returns were higher. _____

13. When you undertake new land use activities (eg planting shelter belts, undertaking erosion protection work) what Government agencies have you consulted for advice and planning approval. Could you also explain how they have affected your land use actions. _____

14. Have any financial institutions attempted to influence your land activities. If so could you please state which institutions they were and how they have affected you.

15. Do you consult any private institutions before you undertake new land use activities, (eg agricultural consultancy companies, timber companies, conservation organizations). If so how willing have you been to take their advice. _____

16. When you undertake any development on your farm do you consider the environmental consequences of the project.

17. Have you ever been required to go before a planning hearing or gain a Council/Departmental consent before you have undertaken a new land development. -----

Rural Land Preservation Survey (Mining/Development Section)

1. What type of development do you undertake and what effect does it have upon the landscape. _____

2. Does your Corporation have a policy on land restoration. _____

3. Before starting a new project do you undertake any studies to analyse the environmental impact of the development. If so could you detail the procedures you follow. _____

4. Have any of your past or present developments been subject to planning legislation or conservation guidelines. _____ (Yes / No). If you have been subject to Government regulations could you detail what legislation has affected your activity and what agencies you have had to work with. _____

5. Do you find the planning constraints that Government agencies impose very restrictive and do they affect your willingness to undertake the project. _____

6. Do the planning constraints add to the cost of the project. _____

7. Could you detail the type of conditions that Councils and Planning Hearings have imposed upon your developments. _____

8. Do you find that certain Councils are more liberal in their zoning laws than others and place fewer constraints

on quarrying, mining, and residential developments, (if so could you please state which Canterbury Councils these are). -----

9. Has your Corporation's attitude towards environmental issues changed in the past 10 years. If so can you explain in what way your view has altered. -----

10. Are there any private organizations which your Corporation consults when it is undertaking new developments, (eg town planning consultants, conservation organizations). -----

Rural Land Preservation Survey (Local Government Section)

1. Does your organization have a formal policy on rural land preservation. If so, could you please outline the policy.

2. What central Government legislation affects your current thinking on rural land use control. (eg The Town and Country Planning Act, The Water and Soil Conservation Act).

3. In what ways do these Acts control or direct your policy initiatives, (eg do they require you to create district schemes, have consideration for environmental values etc).

4. Is your land use policy influenced by other Governmental institutions, such as the Department Of Conservation, Ministry of Agriculture. If so could you list the institutions which influence your policy and detail how they affect it.

5. In what ways can you direct the land use activities of farmers and other rural land users.

6. When your organization makes a planning recommendation is it the economic or the environmental (preservation) priorities that are the deciding factor.

7. When your organization authorizes a project to be undertaken do you include any environmental safeguards in the planning consent.

8. Does your organization directly control any rural land.

9. If so, could you broadly state what type of land it is, (eg wetlands, plains, hill country, high country) and what uses it is put to, (eg farming, flood protection, recreation etc). -----

10. Has your organization's policy towards land preservation changed since the early 1980's. If so, could you explain why this has occurred (eg because of changing legislation, or as a result of the public's increased awareness of environmental issues). -----

11. Does your organization consider that it has a responsibility to assist land users to preserve areas of their property, (eg to preserve environmentally sensitive areas). -----

12. In your activities which affect rural land users what type of feedback do you get, (eg do they feel as if you are trying to direct how their properties are organized). -----

Rural Land Preservation Survey (Government Department
Section)

1. Does your Department have a formal policy on rural land preservation. If so, could you please outline the policy.

2. What Central Government legislation affects your Departments policy on rural land use, (eg Town and Country Planning Act, The Conservation Act, Mining Act).

3. In what ways do these Acts control or direct your policy initiatives, (eg do they require you to create land management plans).

4. Is your land use policy influenced by other local and central Government agencies. If so could you please list the institutions and detail how they influence your policy.

5. In what ways can you direct the land use activities of farmers and other rural land users.

6. When your Department makes a planning recommendation is it the economic or the environmental (preservation) priorities that are the major deciding factor.

7. When your Department authorizes a project to be undertaken do you include any environmental safeguards in the planning consent.

8. Does your organization directly control any land.

9. If so, could you broadly state what type of land it is, (eg wetlands, plains, hill country, high country) and what uses it is put to, (eg farming, forestry, flood protection, recreation etc). _____

10. Has your Department's policy towards land preservation changed since the early 1980's. If so, could you explain why this has occurred, (eg because of changing legislation, or as a result of the public's increased awareness of environmental issues). _____

11. Does your Department consider that it has a responsibility to assist land users to preserve areas of their property, (eg to preserve environmentally sensitive areas). _____

12. In your activities which affect rural land users what type of feedback do you get, (eg do they feel as if you are trying to direct how their properties are to be run). _____

Rural Land Preservation Survey (Financial Managers Section)

1. When you are making farm loan or seasonal finance agreements with rural land users do you attempt to influence how much land they put into production and the type of production they undertake. _____

2. Does your organization have a set policy on rural land preservation (if so could you please state it), and is it taken into consideration during loan negotiations. _____

3. What are the major priorities you consider when making a rural loan. _____

4. Are any of the following considered by your organization as economically viable land use options, and if so why.
 (a) Shelter belts, hedge rows _____

 (b) Setting land aside for soil preservation (preventing erosion) _____

 (c) Setting aside areas for flora/fauna preservation _____

5. Are you influenced in your decision making by any central Government legislation, (eg Town and Country Planning Act, The Water and Soil Conservation Act). If so, please state the Acts and how they influence your decisions. ____

6. Are your policies influenced by Local Government district schemes, (eg do Council schemes with strong conservation and land retirement aims act as a disincentive for investment). _____

7. Are farms with preservation covenants (eg Queen Elizabeth the Second Trust Covenants) on them seen as less desirable to loan to, as some of the land has to be set aside or has to be farmed in a certain manner. _____

8. Has your organization's policy towards land preservation changed since the early 1980's. -----

9. Has the economic recession and the rural decline affected your priorities in loan decisions. -----

10. In your contacts with rural land users what type of feedback do you get, (eg do they feel as if you are attempting to direct how their property is organized and run). -----

